





ORIGIN AND STRUCTURE
OF THE
PENTATEUCH



THE PENTATEUCH

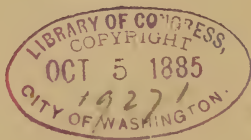
ITS ORIGIN AND STRUCTURE

AN EXAMINATION OF RECENT THEORIES

BY

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PREFACE.

WHILE pursuing Old Testament studies in the University at Leipsic, some years since, the writer became warmly interested in the subject of Pentateuch criticism, especially in connection with the more private societies (*Gesellschaften*) of Delitzsch and Guthe, where it was made the chief topic of discussion. Having once entered upon it, he found the questions it raised of too grave a nature to be relinquished without a serious effort at settlement. In fact, in view of the startling conclusions reached by an eminently respectable portion of German scholarship, he felt bound to give reasons, at least to himself, for his faith in an Old Testament revelation. He has accordingly had before him, for the most part, the criticism in its German form. For his readers this method of treatment will have the advantage, that, while the works of such representative writers as Graf and Wellhausen are no less easily comprehensible in their leading principles and terms, they fully include, and are the evident source of, the most that has been said on that side of the question in England and America.

A little more than one half of the present book has already appeared in print: the papers numbered i., iii., v., vii., viii., in the *Bibliotheca Sacra* during the years 1882-84; and iv. in the *Journal of the Society for Biblical Literature and Exegesis* for July-December, 1884. All such papers, however, have been carefully revised, and to some of them considerable additions been made.

A work of this kind, if it is to be faithfully done, requires the conscientious study of problems of the utmost intricacy and perplexity. The cursory reader, it is likely, will turn rapidly over the papers numbered iii.-vi., dealing mostly with the origin and inner relationship of Pentateuch laws. But to the more thoughtful reader and the student who is aware that, for a score of years, it has been in this thicket of the Hebrew legislation that some of the keenest intellects of the age have wrestled mightily over great biblical questions, they will have a peculiar attraction. Every law of the Pentateuch, aside from a few in Exodus having no important bearing on the subject in hand, has been brought under review in these four papers and conveniently tabulated. Excepting the articles of Hoffmann (*Magazin f. d. Wissenschaft d. Judenthums*, 1879-80), to which he acknowledges himself much indebted, the author knows

of no one work of the criticism making these laws so special a subject of examination. He knows of none whatever treating them so systematically and fully. It may not be amiss, moreover, to state, while holding himself alone responsible for results reached, that, through a series of years, the reasoning employed in this part of the book has been brought to the test of the freest discussion of the class-room.

The good sense of the reader may be trusted not to draw two quite unwarrantable inferences from this book. First, because the author finds the so-called traditional view of the origin and structure of the Pentateuch much better supported than the one now most widely current in Germany, that therefore he beguiles himself with the illusion that there are no serious difficulties in it still remaining to be solved. And, second, because he is forced to reject as erroneous, not only the general conclusions, but also many of the logical methods, of Wellhausen, and the class of critics he represents, that therefore he does not approve of biblical criticism when properly conducted. Next to adopting the theories of these critics, no higher mark of interest in such criticism could well be demanded than that one freely consent to enter upon its discussion with them on the plane, and with the terms, of their own choosing.

For, strange as it may seem, the author is convinced that the thing of greatest influence in Pentateuch criticism, as now generally conceived of, is but loosely connected with the Pentateuch—it is the point of view of the investigator (see p. 317). The philosophy, even more than the science, is responsible for conclusions reached. But if there be great undiscovered secrets in the Bible, they must surely be one in essence with the secret of the earth and of man: a secret of the Lord which will be disclosed to them that fear Him.

To find the truth and the will of God as expressed in it, to stay by it, love it, make it one's own, defend it to the death,—that is the common goal of religion and of all true science. If one man study the Bible religiously and another study it scientifically, still they are friends and allies unless the one's religion or the other's science is somehow at fault. Indeed, why should your religion exclude my science even here, or my science your religion, if both the science and the religion possess the teachableness and the sweet humility of the little child, to which was made the promise of the kingdom?

HARTFORD, September 7, 1885.

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THE PENTATEUCH:

ITS ORIGIN AND STRUCTURE.

I.

INTRODUCTORY.

IF we discover among us in these days any disposition to underrate or relatively disparage the Old Testament, any tendency to neglect it in our theological schools, we must see, too, that Providence is signally interposing on its behalf, and vindicating for it the highest claims to our attention. It is safe to say, bating from the statement whatever you please for any partiality one might have for favorite studies, that not a few of the problems with which the minds of thoughtful men are grappling to-day directly concern the Hebrew Scriptures. It is the Book of Genesis that we couple in our thinking with certain puzzling questions of geology and cosmography.

It is the same book that serves as point of departure for the still mooted subject, when human history had its beginning, and how it began. It is to the Old Testament chiefly that the science of archæology, opening up in our day so broad a field and awakening in its devotees so inspiring an ardor, comes to lay down its store of gathered facts and illustrations.

From old Sepharvaim of the Books of Kings and Isaiah some of the latest treasures of monumental literature have been welcomed to our Western world.

It is significant, too, that an eminent Assyriologist published, not long ago, as the result of special study in this department, a discussion of the question — more practical in its bearing than might appear — *Where was Paradise?*¹ And it is not geography or history or chronology alone that these priceless records are teaching us. They are enriching our lexicons and correcting our grammars as well. It is an open secret that there are in the sacred text not a few words, Hebrew and Aramaic, whose meaning as yet has only been surmised, and that a single Psalm of less than forty verses has thirteen words that do not elsewhere occur in the Bible. Hence, it is a gladdening consideration that scholars are now in process of constructing from these same monuments of the past lexicon and grammar of a closely allied Shemitic tongue older, it is claimed, and more archaic in its forms, than any other known to man, and of such a character that the vocalization of every word has been exactly preserved.

As if all this were not enough to quicken our flagging zeal, and teach us that the Hebrew Scriptures can never be divorced from the Greek Scriptures in our reverential study, the heaviest cannonading of biblical criticism is just now heard among these earliest records of our faith. Around the Gospels and Epistles there is, for the moment, a comparative lull in the conflict, while Moses and his great work are sharply challenged.

A certain style of biblical criticism has always found here an attractive field — where the scantiness of objective and contemporaneous elements has seemed

¹ Friedrich Delitzsch, *Wo lag das Paradies?*

to invite and permit a corresponding subjective fulness and assurance. We are already accustomed, in connection with the Pentateuch, to such names as "Jehovist," "Elohist" and "Younger Elohist," "Deuteronomist" and "Redactor," although they are found in no accredited list of sacred writers, and have hitherto failed to impress us with the simple grandeur of him who smote the rock at Horeb, and spoke face to face with God, "as a man speaketh to his friend." We have seen one scheme of the origin of Genesis and its companion books give place in quick succession to another. We have seen the documents of which it is assumed that they are composed, submitted, on the basis of other assumptions, to every sort of kaleidoscopic arrangement, until, as it should seem, the very limit of possible combinations had been reached.

But it has been left to critics of our own day to propound a theory of the Pentateuch, and the course of Israelitish history, which totally eclipses all that have preceded it. Were the goodly towns and cities of these Eastern States of America, with their swarming millions of people, with all their glory of material magnificence and moral power, suddenly to be put down, in some way, conceivable or inconceivable, in the far-off valley of the Mississippi, leaving only scattered villages and hamlets where this surging tide of life had been before, it could not so affect our organic existence as a people, it could not so completely change the avenues of trade, revolutionize our social habits and methods of living and working, color and shape our national future, as would this latest scheme of criticism, were it to succeed, revolutionize our old-time theories of the composition and organic structure of the Old Testament, and the order, continuity, and contents of sacred history.

It is nothing less than a tremendous critical cataclysm, an upheaval and a transformation that are continental in their reach and influence.

The movement may be said to have taken its rise long since in the strictures of an Aben Ezra¹ on the current method of treating the Pentateuch as solely the work of Moses. From him it came down through a Carlstadt,² Spinoza,³ Astruc,⁴ continually taking broader sweep and clearer outline to the time of Reuss,⁵ George,⁶ and Vatke,⁷ of our present century. But until the appearance of Graf⁸ as its champion, somewhat less than a score of years ago, the theory had not really taken characteristic shape; had found no sufficient sponsor; had failed to awaken the serious attention of scholars to its claims; in fact, had sometimes met the smile of derision in the house of its friends. Under his skilful manipulations and masterly support, it took at once front rank among stirring questions; indeed, it may be said, shot like a meteor into the sky of human observation. And though men looked to see it pass away again, like our meteors, it blazes still, a growing and portentous wonder to this very hour.

And this is one of the strangest things about the theory: its sudden and wide success in the land of its birth. Professor Robertson Smith, in a recent work,

¹ For an account of his exegetical works, see Ersch u. Gruber's *Encyklopädie*, i., s.v. He held that the Pentateuch was mainly the work of Moses, excepting only certain interpolations.

² *De Canonicis Scripturis*, 1520.

³ *Tractatus Theologico-politicus*, 1670.

⁴ *Conjectures sur les Mémoires originaux*, etc., 1753.

⁵ *Thesen* (1833), Art. "Judenthum," in Ersch u. Gruber's *Encyklop.* His most recent work published is *Geschichte d. Heiligen Schriften d. A. T.*, 1881.

⁶ *Die Aelteren Jüdischen Feste*, etc., 1835.

⁷ *Die Religion d. A. T.*, i. 1835.

⁸ *De Templo Silouensi*, etc. (1855); *Die geschichtlichen Bücher d. A. T.* (1866); Art. in reply to Riehm in Merx's *Archiv* (1869).

declares that it represents "the growing conviction of an overwhelming weight of the most earnest and sober scholarship."¹ And while I should wish to limit such a statement to Germany and to change at least one of the adjectives applied to scholarship, there can be, I think, no doubt that a large majority of the younger theologians of Germany have really adopted the chief conclusions of Professors Kuenen² and Wellhausen,³ and found in them a happy solution of many perplexing critical problems. Of this class, it is not enough to say, that the theory represents their convictions, or even dominates them. They flaunt it; wear it as a decoration; receive its principal supporters with clangor of trumpets, as though a sweeping victory had been won.

Excepting works relating exclusively to the text, nearly everything of weight that has appeared in Germany in the department of the Old Testament for the last two years has treated of this theme. Heavy reviews have been started in defence of the new hypothesis, voluminous commentaries written, saturated with its spirit and methods; and even some of the later Hebrew grammars show on their supposed impassive pages marks of the theological revolution.

Does any one ask, But what is it all to us? What are the books we read, or the moral atmosphere we breathe, to us? Take the German books, and the translations of German books, out of our theological libraries, and you would be amazed at the emptiness of the shelves. Nor is it a matter which concerns theo-

¹ *The Old Testament in the Jewish Church*, p. 216.

² His principal works have been published in England, *The Religion of Israel*, etc., 3 vols., 1874; *The Prophets and Prophecy in Israel*, 1877; but numerous articles on the same subject have appeared from time to time in the *Theolog. Tijdschrift* (Leyden).

³ "Die Composition des Hexateuchs" in *Jahrbücher für Deutsche Theologie*, 1876, pp. 392-450, 532-602; 1877, pp. 407-479; *Geschichte Israels*, i. 1878.

logians and ministers only. The theory has already crossed the English Channel bodily, and is finding adherents also, here and there, among the Christian churches of America. It has learned to utter itself in an attractive English style; even found its way in a series of biblical Articles, how and why I know not, into the most prominent of English Encyclopædias.

One will still recall the vigorous protests made, some years ago, on the appearance of "Essays and Reviews." But a rationalism such as was reprobated in "Essays and Reviews" was mildness itself compared with that of an Article entitled "Israel," by Julius Wellhausen, in vol. xiii. of the *Encyclopædia Britannica*. It cuts completely loose from all traditional views of Israelitish and early sacred history. If its positions be true, it makes dreadful havoc not only of a considerable part of the ancient Scriptures, but of many of the choicest classics of the English church and the English tongue. And though it be balefully false, still, from the standpoint of our times a certain plausibility cannot be denied it; and as one of the characteristic, culminating products of the lauded scientific method, it challenges our serious attention.

The theory in its latest form, and stated in the very briefest terms, is this:¹ The Hexateuch, that is, the Pentateuch and the Book of Joshua, is made up of three leading documents, — omitting here a minor distinction, — belonging to wholly different writers and widely different times. The Jehovist document,² which is the oldest and briefest, begins with the middle of the fourth verse of the second chapter of Genesis, and while mainly

¹ Cf. Wellhausen's edition of Bleek's *Einleitung in d. Alte Testament* (1878), pp. 177, 178.

² A distinction is made by critics between the "Jehovist" and the document ascribed to him, it being called a "Jahvist" document.

appearing as history, contains the legislation of the so-called Book of the Covenant (Ex. xx.—xxiii.; xxxiv.).¹ The second document originally embraced only the legislative portions of Deuteronomy (xii.—xxvi.). It was at once occasion and product of the so-called “Deuteronomic reforms” in the time of Josiah (621 B.C.), itself originating possibly in some collusion of priests and facile king. Later it was given its present historic setting by the “Deuteronomist,” who also worked over the document which had preceded it, making his hand especially prominent in the Book of Joshua: all, you will perceive, some centuries after the time of Moses. The most important work of all, named from the nature of its contents the “Code of the Priests,” which begins the Bible, contains parts of Genesis and Exodus and the Levitical legislation of the middle books of the Pentateuch, with its historic setting, did not see the light, it is said, till after the exile. True, it claims to be Mosaic, as does also Deuteronomy; but that is simply an historic, not an historic, claim, — a representation made in the interest of its authority. In its narrative portions it is mainly a product of the fancy, although that narrative includes such matter as an account of the tabernacle and its furniture; and, as for the rest, it is the work of no one man, but of a school — a sort of precipitate from the literary activity of various priests and learned men. Still the Hexateuch is not complete. There is required another masterhand, — a masterhand, indeed, — a Redactor, who shall unite this “Code of the Priests” to the previous work of the Jehovist and the Deuteronomist, making the one supposed continuous history, by skilful trimming here and interpolating there, accord with the other continuous history, and the

¹ All references to the Old Testament are to the Hebrew text.

laws of the different periods fit together, as best he can. He appears as these subjective personages usually do. He lives in the time and breathes the atmosphere of the last great work, the "Code of the Priests"; and governed fully by its spirit he joins together in one grand whole these diverse products of a millenium, and deterred, as far as we know, by no scruples of conscience, leaves them under the countenance of a supposititious Sinaitic lawgiver, whose name has been sagaciously painted in, and whose personality has been impressed at every convenient opportunity.

Now, from the point of view of this school of criticism, that is, accepting it as true that these men really did this work in the way described, it must be acknowledged that they did it extremely well. The Pentateuch as thus made up, and as a mere literary achievement, is an eminent success; in fact, a very prodigy of genius, call it a romance, or call it what you will. But there are those who are unable to take this point of view; and such will naturally look to see what is to be the outcome of this stupendous reconstruction of the records, possibly, even before they test the question of its probability.

They will scarcely be able to resist the conviction that, if this be a true representation of the case, then the jewel set in the crown of the Scriptures reflects a false lustre; that we have in the Pentateuch simply a five-fold imposition, a nearly worthless composite of mingled cleverness and fraud. Real homogeneousness of texture there is none. Patriarchal history, excepting some floating myths, completely gone. Mosaic history, even, only represented in some scattered *débris* borne downward on the heaving waters of a beclouded tide. A sacred history of the Old Testament, properly

speaking, there can be none. It is reduced simply to an account, more or less credible, of the rise, development, and decline of a Jewish sect that reached its bloom after the exile. The principal contents of the Pentateuch have really nothing to do with the history of an Israel that sprang from the loins of Abraham, but solely with this post-exilian sect.

Such a people as Israel there was ; but all you can learn of them, to any purpose, must be learned from the Books of Judges, Samuel, and Kings, and the prophets of the preëxilian period. The great lawgiver of the old economy, and withal the grandest figure in primitive history, not Moses after all, but Ezra, the priest, who, with his straggling remnant, overlived the heavy blows of Chaldæa and Assyria ! The standing designation, "the Law and the Prophets," sanctioned and sanctified by the usage of Christ and his apostles, a misnomer ; it should rather be "the Prophets and the Law," the real historic order being just the reverse of the order as it now appears. The sources of the Old Testament religion are in the literature of the early prophets. Protevangelium there is none. The promise made to the seed of the woman, shining like another Bethlehem star over the birthplace of human sin, a Jehovistic conceit, meaning something or meaning nothing.

There is as radical an overturning of biblical theology, you will see, as of biblical history as hitherto conceived. The idea of sacrifice, for instance, must be readjusted on a wholly different plan, and made to serve a totally different aim. It surely cannot take the widely comprehensive range supposed, while ever narrowing in concentric circles to one central, all-controlling fact, as the writer to the Hebrews seems firmly to have believed. For this new scheme, as it leaves the history of redemp-

tion without an orderly beginning, so it leaves it without a sufficient end. It smites off the roots of the development, and is only consistent in looking for nothing among the branches. The one fitting consummation of the national life and religion of Israel, the one glorious conclusion of the Old Testament premises, openly declared to be not Jesus Christ, of the seed of David, of the tribe of Judah, whose day Abraham saw and was glad, but the political catastrophe which overtook the Jewish state seventy years after our era began, and the rabbinical schools which then sprang up.¹ Without extravagance of statement, such is the startling discovery which scholars professing to be governed by strictly scientific principles have made in our day; such, in bare outline, is the scheme, with some of its more obvious results, which, with all seriousness, they offer for the acceptance of the Christian world, and of which Professor Robertson Smith says that it "represents an overwhelming weight of the most earnest and sober scholarship." Bear with me in stating a few natural reasons for supposing that a really sober and reverent scholarship will be extremely slow in accepting it.

First, such a scholarship will find it impossible, I think, to adopt many of those principles of criticism which are its necessary condition. One of these principles or axioms, for example, is that persons of our day — I should perhaps say some persons of our day — have the ability to take up these ancient records, existing quite apart, with no native contemporaneous matter to which there can be appeal, and solely on the basis of inward characteristics of style and the like decide with nice exactness upon their relative age.² The

¹ See Wellhausen's Art. "Israel," as above, pp. 428, 429.

² Murray (*Lectures on the Origin and Growth of the Psalms*, New York, 1880, p. 132 f.) has well characterized the uncertainty of conclusions drawn from such a source.

recurrence of certain names of God, in fact, is the hinge on which the question turns; Jehovah marking the earliest document, and Elohim the latest. And yet, these hypothetical documents, as now found, would be wholly unintelligible if rent asunder, are both absolutely essential to the integrity and continuity of the history as we have it; and there are other passages equally essential, where both the characteristic words must be admitted to be integral parts of the same document. Imagine the conclusions, were any modern composition, a sermon or a religious book, to be subjected to the same process of dissection.

I know how widely this theory of documents prevails in Europe, even among scholars otherwise as far apart as Wellhausen and Delitzsch. But among German scholars there is beginning to show itself, in view of the tremendous conclusions which are drawn from it, a call for a serious review of the principles on which it rests.¹ Those principles are acknowledged to be but partially applicable to the Pentateuch, and scholars are far enough from being agreed just how to apply them. They are not, and cannot be, applied to other parts

“Taking up the Psalms of the Davidic Book, scholars have been accustomed first of all, by means of the dozen or so poems which, from internal setting or external allusion, have a consensus in their favor as of Davidic authorship, to fix what they call David’s style of writing, and make this the standard for judging the other poems of the collection. Now style, though, on the whole, the surest purely literary test of authorship, is not a complete one, especially when dealing with ancient literature. I doubt, if the writings of the English Poet-Laureate should have the good fortune to survive two thousand years, and then be the sole remains of English letters from the Victorian period, whether any one will be inclined to refer the ‘In Memoriam’ and ‘The Princess’ to the same author. Perhaps they will say they have been placed together through the misapprehension of some later editor, while the ‘Northern Farmer’ will be rejected as spurious by all, and made the point of many an argument as to the decay of the English speech. In the study of any ancient literature, the argument from literary style can only be used with the greatest caution. It has broken down in the literary study of the Hebrew Scriptures just at a point when most was expected of it—in the comparison of the earlier and later chapters of Isaiah.”

¹ Marti, “Die Spuren der sogenannten Grundschrift des Hexateuchs” in *Jahrb. für Protestant. Theologie* (1880), p. 152.

of Scripture, as Job and Ecclesiastes, the Psalms, Proverbs, and Nehemiah, where a use of these divine names scarcely less peculiar is found. Yet men build on these shifting sands as though they were foundations of imperishable stone; and alas! it is the temple of our common hope which they would build.

Another canon of the newer criticism is that a law or ceremonial rite can only then be regarded as really in existence when it is appropriate to that age, and can be shown to have been enforced. On the basis of this canon it goes on to reason that as there is no sufficient evidence that the Pentateuchal laws were executed, — the Deuteronomic before the time of Josiah, or the Levitical before the exile, — therefore, they did not respectively come into being before these periods.

Now, if the premise were to be admitted, so sweeping a conclusion would by no means follow. For though it might be shown that these laws were often but poorly enforced, it can never be shown that there was no effort to enforce them. But the premise is not, and will not be, admitted. Nothing, in fact, could be more fallacious. There is no one century of Christian history in which it cannot be demonstrated to be conspicuously false.¹ Had we for the first fourteen centuries of our era no other literature than the New Testament, what would be easier, on such a principle as this, than to establish conclusions the most absurd and misleading? Does the church of the fourteenth century adequately, even decently, represent that book? This great complex and corrupt organism of popes and prelates, it might be said, could never have come from a mould so simple, with a spirit so diverse! Luther, consequently, was no mere translator; he must have been originator, author!

¹ Stebbins has well shown the absurdity of this canon in a note on p. 24 of his excellent work, *A Study of the Pentateuch*.

The New Testament is mainly from his pen. Under cover of a new rendering, as a matter of fact, he wrote the Gospels and many of the Epistles. Nothing else could have furnished the basis for a reformation so radical and far-reaching as that of his day.¹ It was Jesus who said: "Did not Moses give you the law, and yet none of you doeth the law?" Make the life of a people the test to determine the nature of the laws of the people, and that for this people whose neck was iron and forehead brass! It is quite true that even good men, like Samuel, sometimes turned aside from the letter of their code. But he is not the only good man who has done it.

A third fundamental canon of the latest criticism, really held and acted upon by its leading representatives, and not infrequently confessed, is that a supernatural revelation, prophecy, and miracle are incredible. That is, it dogmatically assumes the impossibility of that which as believers in Christ we must make an unalterable premise in all our reasoning. Nothing else will explain either the activity of this criticism or the form it everywhere assumes. This, indeed, is the principal ground of objection to a Mosaic Torah. Moses, it is said, on the traditional view, would be a greater miracle than Jesus, who simply came in the fulness of time; for he came wholly out of time and out of place. Hence, there must be such a readjustment of the records as shall put Moses in his place, and show a gradual development of the history and laws. One may not begin with Genesis, and then follow up with the Levitical code, but with the Judges. The real sources of Israelitish history were there.

A straight line of development is demanded, con-

¹ So essentially Bredenkamp, *Gesetz u. Propheten*, p. 5.

trary to the actual order of historic development, which is not in straight lines. A straight line of development is demanded: it cannot be otherwise, it is said, than that Israel first built a house, and not till afterward a church.¹

But, if the history of Israel teaches anything, it teaches that his house and church were one. There is not the slightest documentary evidence that in conception or practice any such dualism ever existed among them. In fact, we take direct issue with this method of reasoning. We do not find ourselves under any such logical compulsion to reconstruct the Pentateuch. We see no such imperative need for denying supernaturalism in the Bible, but quite the contrary. The logic here used against it in the Old Testament is as futile when applied to the New as feathered arrows against a rampart of stone. Admitting the miracle of Jesus, the miracle of Moses is no anachronism. As in the Christian religion, so in that from which it sprang, we might expect to find the essential peculiarities of it in its original sources, might be even surprised did we not see it exhibiting itself in its greatest purity and power at the outset of its course.

But there must be no appeal to the New Testament—that is another principle hotly insisted on. It is unscientific. “We must either cast aside as worthless,” says Kuenen, “our dearly bought scientific method, or must forever cease to acknowledge the authority of the New Testament in the domain of the exegesis of the Old.”² The New Testament, however, is at least an equal sharer in the glory or the dishonor of the Book! You cannot lay the hand of violence on any fundamental truth of the elder dispensation, but the shrine

¹ Wellhausen, *Geschichte*, p. 267. ² *The Prophets and Prophecy in Israel*, p. 487.

of the later will tremble in every part ! Still the Master and his apostles must not be heard as witnesses ! We treat our criminals with more respect.

Has the fact that, if the New Testament were allowed to utter itself in the matter, its utterances would be final, nothing to do with such a canon ? The Master says that Moses, about whom this conflict chiefly centres, wrote of him. Shall that, and similar things, have no infinitesimal weight in a discussion of the question, what Moses wrote, or whether he wrote at all ? The Epistle to the Hebrews accepts the doctrine of sacrifice in its Levitical form as of Mosaic origin — the very point in debate. Is it therefore to be silenced, and forever silenced, for the church of Christ, as it inevitably must be if this theory prevail ? However this may be, we should regard any mere critical method too dearly bought at such a price. With an early Christian writer, we would rather choose to say : “To me Jesus Christ is the sum of all records ; my inviolable records are his cross and death and resurrection and the faith through him.”¹

Moreover, the principles of this type of criticism allow one to impute to Old Testament writers motives and practices which totally unfit them to be the medium of spiritual instruction. The Scriptures, it is true, have a human side ; but it has been left to these critics to charge upon not a few of its writers conscious trickery and imposition. And that they fully believe their own charge is sufficiently evinced by the treatment they themselves accord to the sacred writers. They seem to think it needful to meet this supposed *finesse* not only with exposure, but with an irreverence, a triviality, a spirit of depreciation, which show that a

¹ Ignat., *ad. Philadel.*, viii.

feeling of contempt has overcome the natural sense of sorrow and shame which such a fact might be expected to produce. Wellhausen has been at special pains to point out that whatever in the sacred history has a decidedly religious coloring — “pious” utterances, “unctious speeches, to break the monotony,” is his fleer at them¹ — is pure hypocrisy, the work of an artist, and not the real experience of living men who spoke as they were moved by the Holy Ghost.

I have already alluded to some of the fraudulent practices of which the various scriptural writers, with no exception of age, have been accused. Deuteronomy, a fabrication of the seventh century; a clever stratagem to secure respect for legal enactments from a reluctant people. The Book of Joshua, for the most part, a similar forgery to bolster up the first. The Levitical laws, with their framework of history, reaching from the creation of the world, through the exodus, to the promised land, essentially a fraud of the time of the exile. The Books of Chronicles, written of design to sustain this spurious document, and in all their history, which runs parallel to that of the Books of Samuel and the Kings, adroitly keeping up the mystification. The Books of Judges, Samuel, and Kings themselves, where, if anywhere, we might expect genuine history, widely interpolated and retouched in the interests of this same counterfeit of the exilian priests. Is this criticism, or is it caricature? Is it interpreting history, or is it manufacturing history? Our Christian instincts revolt at such a profanation. How much is actually left us that will reward the pains of investigation? Where can we set our feet on really solid ground? In a perverse

¹ See *Geschichte*, pp. 340, 347, and p. 309: “Was der israelitischen Geschichte vorzugsweise den Namen der heiligen Geschichte eingetragen hat, beruht zumeist auf nachträglicher Uebermalung des ursprünglichen Bildes.”

effort to show that the history must have taken a certain course, the history itself has been sacrificed. The theory has been adjusted, but at the expense of the facts. In an effort to reconstruct an ancient temple, according to the rules of modern taste, a beginning has been made by defacing and crushing its precious material, smiting a cruel pathway through arches, and pillars, and statues of renown, until, at last, it is found that there is too little left to build so much as a creditable house, much less a shrine for our sweetest memories and most sacred hopes.

It is safe to predict from the very start where those adopting such canons of criticism are sure to come out. It is a foregone conclusion. A truly serious and reverent scholarship can neither accept the canons nor enter into serious argument with those who do. For a full hundred years critics have been discussing the text of Homer on the Wolfian basis, and have as yet failed to achieve among themselves an agreement even in leading points.¹ But how poor an arena are the pages of Homer for an active subjectivity to disport itself compared with the Pentateuch! Better far for us to take the morsel that is left after the paring and trimming are over, and try to nourish our spiritual being on it, in our generation, than to enter, with terms like these, on a wrangle at once so wearisome and so profitless.

I by no means intend to say that every individual who belongs to this class of critics would take each one of these principles in the full sense here explained. But they are thoroughly characteristic of the class. Professor Robertson Smith, it is likely, would disclaim being governed by some of them. But Professor

¹ Cf. Zöckler in *Zeitschrift für kirchliche Wissenschaft*, etc. (1882), p. 49.

Smith's acknowledged masters would not disclaim them. And sooner or later, under the silken glove of the mild-mannered Scotch professor, one will surely feel the mailed hand of a Paul de Lagarde or a Julius Wellhausen.

I remark, in the second place, that it will be just as impossible for a sober and candid Christian scholarship to accept the style of interpretation needful to defend successfully the theories of this type of criticism. It is necessary for it, placing Deuteronomy in the time of Josiah, and the Levitical legislation a couple of centuries later, to show that no slightest trace of them appears earlier than these respective periods. A single undisputed passage in an earlier book necessarily presupposing their existence is quite enough to render the argument, which is mainly an argument from silence, null and void. And is it needful to say to any student of the Hebrew Scriptures that, even allowing the widest scope for the convenient, but always to be suspected, theory of interpolations and omissions, it is here confronted with an impossible task? Culling out individual parts, and imputing them to later hands, however extended the process, can never destroy the coloring and spirit of the witnessing records: the records themselves must first be annihilated. I shall select under this head here but a few facts by way of example.

Look first at the Deuteronomic legislation, making a definite and repeated claim to being Mosaic, and which our critics hold for a product of king Josiah's time. It has laws not one, but many, which would be utterly senseless as productions of this later period. The order, for instance, is given to Israel, after their settlement in Canaan to wipe out Amalek, and not to

forget it; when in the time of Josiah Amalek had already long since wholly disappeared from history.¹ They are also commanded to destroy the Canaanites, who had then ceased to be of any importance whatever.² A law is made against Ammon and Moab, and in favor of Edom, which exactly reverses the real relations of these peoples to Israel in the time of Josiah.³ Directions are given for choosing a king, it being assumed that they have none, several hundred years after the anointing of Saul.⁴ An organization of the Israelitish army is presupposed wholly out of place in the days of kingly authority.⁵ Mourning customs are forbidden, clearly allowed and practised in the time of Josiah and later; which, whatever else it may prove, is entirely inconsistent with the theory that Deuteronomy originated in his day.⁶ To say of these laws that they are a part of the fictitious coloring given by the writer to his work that it might seem Mosaic is to make of the deception a monstrosity, to no one more embarrassing than to the critics themselves.

Then consider the connection between the Deuteronomic and the Levitical legislation. It is assumed by the criticism that the former chronologically precedes. It will be shown, on the contrary, by arguments that no candid mind will be likely to resist, that the order of the Bible is the actual, chronological order; that Deuteronomy is what it purports to be, a repetition and modification, under other circumstances, of older laws, at the hands of him who himself had been their medium at first, and who therefore had the right to modify, as well as repeat, them.

¹ Deut. xxv. 17-19; cf. 1 Sam. xiv. 48; xv. 2 ff.; xxvii. 8; xxx. 1 f.; 1 Chron. iv. 43.

² Deut. xx. 16-18.

³ Deut. xxiii. 3, 4, 7, 8; cf. Jer. xlviii. 47; xlix. 6, 17, 18; Ps. cxxxvii. 7; Joel iii. 19; Obad.; Isa. lxiii. 1-6.

⁴ Deut. xvii. 14-20.

⁵ Deut. xx. 9.

⁶ Deut. xiv. 1, 2; cf. Jer. vii. 29; xvi. 6; xli. 5.

It is said, for example, in Deuteronomy of the Levites, that they are to have no inheritance among their brethren, that the Lord is their inheritance, as he *had said unto them*. Where had this been said? It is a direct citation of a part of the Elohistish Torah, falsely dated in the time of the exile.¹ Elsewhere, the people are charged in their treatment of the leprosy to observe implicitly, and do all that the Levitical priests should teach them, as he had commanded them. Where was this commanded? To the extent of two whole chapters in the Levitical legislation, and nowhere else.² In the law relating to animals clean and unclean, there is a direct dependence of the Deuteronomic on the Levitical form, an obvious textual corruption serving to make assurance doubly sure.³

In a law relating to sacrifice found in Deuteronomy, the Israelites are prohibited from sacrificing anywhere else than at the central sanctuary. But with the prohibition a concession is joined, specifically introduced as a concession, that they may slaughter animals for private use at home. The concession points unequivocally back to the Levitical form of the law, which had prohibited the killing of animals at all, as might have been expected in the wilderness, except at the central sanctuary.⁴ In the Levitical legislation provision had been made for six cities of refuge in Canaan; in Deuteronomy we find Moses selecting three of them on the east of Jordan, and strictly enjoining the establishing

¹ xviii. 2; cf. Num. xviii. 20, 23, and Delitzsch in *Zeitschrift für kirchliche Wissenschaft*, etc. (1880), p. 448. Professor Delitzsch has a series of Articles on the Criticism of the Pentateuch, extending through all the numbers of this *Zeitschrift* for 1880, whose value cannot well be overestimated. The same subject is also resumed by him in this periodical for the year 1882.

² Deut. xxiv. 8, 9; cf. Lev. xiii., xiv.

³ Deut. xiv. 3-20; cf. Lev. xi. 2-19, and Dillmann in his recent Commentary on Exodus and Leviticus (in *Kurzfassstes exeget. Handbuch*).

⁴ Deut. xii. 6-16; cf. Lev. xvii. 1-9.

of the other three after the conquest of the land.¹ In the Levitical code, absurdly imputed to Ezra and his colaborers, circumcision is made the seal of the Abrahamic covenant. It is a remarkable fact that already in the Book of Deuteronomy circumcision has passed over from the natural use to a figurative sense, the people being called to circumcision of heart.² In Deuteronomy, moreover, there are a number of explicit references to the historical portions of this Levitical document. I say references to this, simply because we are shut up to such a conclusion. They are references to something. They correspond in matter and in minute distinctions of form to it. And there is absolutely nothing else that we know of to which they could refer.³

And now, how is such a line of argument met by our critics? Sometimes with evasions; sometimes with depreciation, or a denial of pertinency. When this is impossible, there is a resort to the elastic theory of interpolations. Deuteronomy has been manipulated in the interests of the later documents; or, there are omissions in the original Jahvist document which, if extant, would be found to have furnished the foundation on which Deuteronomy built. I have marked, in fact, a number of instances where, to avoid the conclusion to them impossible, that Deuteronomy depends on other parts of the Pentateuch, which they assign to the exile, some of the brightest of these men have taken refuge in this asylum for imbeciles, an hypothesis of omissions in a document of which they can know literally nothing but what is written in the Bible.⁴ Could there, indeed,

¹ Deut. iv. 41; xix. 1-13; cf. Num. xxxv.

² Deut. x. 16; xxx. 6, as in Jer. iv. 4; ix. 26.

³ Deut. x. 22; cf. Gen. xlvi. 27; Deut. i. 23; cf. Num. xiii, 3 ff.; Deut. x. 1, 2; cf. Ex. xxxiv. 1.

⁴ See last citation of passages, and with Gen. xxxiv. 15, cf. Gen. xvii. 10 (Wellhausen, *Geschichte*, p. 364 f.).

be an audacity more astounding? They scout the idea of supernaturalism and miracle in the scriptures, and yet arrogate to themselves the very attributes of Deity!

Sidney Smith speaks of some one whose forte was science, but whose foible was omniscience. Now, whatever the forte of our critics may be, they certainly have a very decided foible for omniscience. They claim to be able not only to tell us exactly, and by the score, where passages have been inserted in the text, and the hand that did it, but, something inconceivable to any one but God alone, where they have been left out. And this to us is the vital point of the matter: they must be able to know, and to tell us, as much as this, or their theory is worthless for the conclusions they seek to establish.

If we move downward from the Deuteronomic period, we shall find it just as hard to make our way along the track of Israelitish history without the postulate of its code, and the elder one on which it clearly rests. The temple of Solomon in its furnishing, its peculiar rites of dedication, its swarming priests and Levites, who without instruction know each his place and duty, is nothing less than a glaring anomaly in history, if this hypothesis be true. And why the scathing denunciations of Jeroboam, the separatist, who, with his golden calves at Dan and Bethel sought to breed political discord among the people by pandering to an idolatrous taste? Why is he reproved for devising "of his own heart" a festival on the eighth month, except that he did it in contravention and defiance of one already legally, that is Levitically, ordered for the seventh? Why did his memory haunt, like an evil spectre, all the subsequent history of Israel to the very end, so that the writer of the Books of Kings can utter no heavier censure over its wickedest rulers than that they walked in the steps of Jeroboam, the son

of Nebat, who caused Israel to sin? There can be but one answer. There was an acknowledged law against which he was a conspicuous and arrant offender.

The existence of such a law is not only proved by a certain line of conduct which is everywhere branded as transgression, but also by numerous efforts at reform in the express direction of this code. Jehoash was a reformer, and Amaziah, and Azariah, and above all Hezekiah, the very last of whom lived a full hundred years before our critics' date of Deuteronomy. They have a single aim. They face one way, and that, the way of the Mosaic laws. Their fault was never one of direction, but solely of lack of force and thoroughness. Again and again are they rebuked for stopping short of the goal; altars were still left to blaze for Baal as well as God.

Josiah himself, claimed as the first great reformer under Deuteronomic inspiration, is simply one in a loyal line that reaches back to Samuel and the heroic judges who preceded him. He had no suspicion that he was undertaking what was new. It was over a broken and disregarded law, which ought to have been supreme in Israel, that he rent his clothes, humbled himself, and wept in sorrow and penitence.

Our critics have, also, the wonder of the Psalter to explain, which certainly had its beginning considerably before the sixth century, and yet echoes and reëchoes in every part the Mosaic law. One of its psalms recognizes every form of sacrifice known to the ritual of Leviticus, save one. In its fivefold division it is directly based on the Pentateuch. Its proem is a psalm describing the blessedness of him whose delight is in the law of the Lord; and elsewhere, as we believe through the lips of David himself, it breaks forth into ecstatic praise

of it: "The law of the Lord is perfect converting the soul." "The statutes of the Lord are right, rejoicing the heart."

If a single one of the earlier psalms can be shown to rest upon the Torah rather than on the teachings of the prophets, that of itself is enough to overthrow the main positions of our critics. And a great deal more than this is possible.

Take an example from them, the eighth, which by almost universal consent is ascribed to David. Note carefully the line of thought along which it moves. It is a night scene. The gaze of the shepherd and poet is fixed on the spangled skies: "When I consider thy heavens, the work of thy fingers; moon and stars which thou hast ordained; What is man, that thou art mindful of him? and the son of man that thou visitest him? For thou didst make him a little lower than God, and crownedst him with glory and honor. Thou madest him to have dominion over the works of thy hands." What amazing language is this! How does David know these things? How does he, in the wildest flights of fancy, dare to say that man has been made but a little lower than God? He had gratefully read it, where we may still read it to-day, in the opening chapter of the Bible, whose thought not only he appropriates, but the precise order of it. Yet these very words of Genesis are an inseparable part of the document assigned by our critics to the period of the exile, six hundred years after the reign of David.

And aside from the individual psalms, they must tell us how the collection came to reach in Israel that high plane of spiritual feeling and utterance, which has never yet been passed, and that amidst the densest moral darkness of neighboring peoples.

There is but one Psalter for the whole Bible. And it has proved sufficient. Its buttresses are deep and strong enough to bear up a structure that was twenty centuries building; its invisible arch lofty enough to cover the grandest architectures of prophetic vision and of Christian hope. On any principle of development, let them inform us, if the Mosaic laws and institutions were not behind it, what was behind it, to push it upward, before the period of the exile, and to some extent before the acme of prophetic influence had been reached, to such a pitch of moral grandeur, to such hitherto unknown ideas of God and man's relations to him?

What long stretches of time, what mighty moral forces, what terrible wrestlings of the human spirit must have gone before that story of temptation and blessed escape found in the seventy-third Psalm! What an experience of precious rest in God, whose sweet depth no plummet has since fully sounded, is found in Psalm twenty-third! How striking, and how Christian withal, the solution of the mystery of individual immortality conveyed in the words: "Whom have I in heaven *but Thee!* . . . My flesh and my heart faileth: God is the strength of my heart and my portion forever." First a house, then a church, is the maxim of our critics. But surely here is an altar and holiest worship, souls who pant after God. Here are songs in every key, from the tumultuous depths to serenest heights, and hearts to feel them and voices to sing them. And here is he who dwelleth not in temples made with hands; who inhabiteth the praises of Israel; and dwelleth with him that is of a contrite heart and who trembleth at his word.

Then, further, those who are seeking to make every-

thing clear on the principle of natural development have not only the anomaly of reforming kings without a standard of reform and the furnished temple of the Psalter without priesthood or ritual to explain, but also the attitude and work of the preëxilic prophets. They, it is claimed, were the real sources of Israelitish history and religion. Who and what were their sources? Moses was too great, too developed a character to have arisen in the period of the exodus! What a soil, then, the period of the judges for such a growth as that of Samuel! Whence came Elijah the Tishbite? and Obadiah and Joel, Amos and Hosea, Isaiah and Micah? Unlike in natural gifts and training, they were yet impelled by one spirit; uttered really but one message. Prophets of two fiercely rival kingdoms, they never waver in their loyalty to one invariable standard and to one King.¹ It was Amos of Judah who, while tending his flocks in Tekoa, heard the call of God, and hurried to confront the haughty king of Israel and his false priests at Bethel. It was Elijah of Israel who won from the people of Judah such love and reverence that, to this day, in certain ceremonies, their descendants still set for him a chair as an invisible guest.²

What gave to these men this unity of spirit, this fiery zeal, this mysterious power over kings and people? What was it that took away all sense of fear in the discharge of duty? Whence that idea of solemn, imperative duty? It was the Mosaic law given amidst the awful sanctions of Mount Sinai, that was at once their bond and inspiration; that ruled them and heartened them. They severally make direct and

¹ The order of the Minor Prophets is particularly to be noted, a prophet of Israel being joined with one of Judah, with obvious intent.

² Cf. Delitzsch, *Old Test. History of Redemption*, p. 110.

unmistakable allusions to it, or its essential historic setting.¹ All their utterances are based on such a presupposition. They recognize a covenant made with God through Mosaic mediation. That covenant had not been kept. Their whole activity proclaims a perverse trend of thought and conduct against which they relentlessly fight, one and all. Founders of a religion they were not, and could not be, men like these, without a sign of collusion; but mighty reformers they were, who set their faces like a flint against a prevailing degeneracy and lapse of the people whom God had chosen for his own.²

Caroline Fox, in her *Memories*, tells of a Quaker of literary turn who would not undertake a translation of the *Iliad* lest he should catch the martial spirit of its heroes. Our critics, so far from catching the spirit of the Hebrew prophets, have not seemed able even to understand their teaching in its distinguishing features. To overlook the higher truth in their burning metaphors and startling paradoxes, and charge them with hostility to the idea of sacrifice because they denounce an unworthy dependence on altar gifts as an *opus operatum*, and properly brand the sacrifices of the wicked as an abomination,³ is not only to bring them into conflict with themselves,⁴ but also with the whole current of

¹ Amos ii. 10; Hos. xii. 13; Mic. vi. 4; vii. 15.

² Cf. Watson, *The Law and the Prophets*, p. 79: "If you deprive the prophets of the one book on which their teaching could be founded, how do you account for the prophets and their teaching? You frame a theory which accounts for the composition of the Pentateuch on naturalistic principles; but in so doing you cut the ground from under the prophets' feet. The prophets had to learn before they could teach; what was their text-book? Not the law; it had to be fabricated. Not the history (at least with the earlier prophets), for it had yet to be written in the true spirit. By whom then were the prophets taught? By the direct inspiration of God apart from all human means? That is the only answer the modern critics have left for themselves, an answer which they certainly will not give."

³ Cf. Prov. xxi. 27.

⁴ Cf. Green, *Moses and the Prophets*, p. 147 f.; Watts, *The Newer Criticism*, p. 83 ff

biblical teaching, from the lesson of those first offerings of Cain and Abel to the words of Him who made love to be more than all whole burnt-offerings and sacrifices (Mark xii. 33).

Still further, these critics, who make the Mosaic law essentially a product of the post-exilic Judaism, have to explain what has been noted as a conspicuous peculiarity of the Hebrew people as of no other people, stamped on their whole history from the beginning, through this very period, too, when if there was no law there could be no transgression: a peculiarly active conscience, and that an evil conscience; "a feeling of guilt; a feeling that a lofty task had been assigned them, which they neither can nor will perform; a feeling of contrariety between knowledge and will, so that sins are heaped on sins."¹ What could have so awakened this feeling in them of all the ancient peoples that we know, so that it must be recognized as one of the dominant factors of their history, before the exile as after the exile? It was the coming in of the law, to state it as Paul does in Romans, that made the transgression abound, that kept the conscience, even though an evil conscience, alert, an unsilenced oracle of power and dread within, and brought ever heavier burdens of guilt upon them, till they should come at last to Him who is the end of the law for righteousness to every one that believeth.

Now these are things which we find in the books themselves, an inseparable and undeniable part of the records; and they militate decisively against the theory we have been considering. If the theory be true, they ought not to be there, and could not be there. But there they are. No hypothesis of interpolations or

¹ So De Wette in *Stud. u. Kritiken* (1833), p. 1003.

omissions can affect the most of them any more than, it would the history written in stone, of a Sargon or a Sennacherib. They are wholly beyond the critic's art. It is a spirit that breathes and moves outside the letter; that utters itself, indeed, in words, but yet is something more than words, and will still live on, confuse and mutilate the letter as you will. It is a mysterious coloring reaching to deepest depths, and can no more be blotted out than its radiant blue can be wiped from the summer's sky.

Finally, it is safe to say that a really sober Christian scholarship will never abandon a position against which so little valid objection can be urged for one involving the extraordinary inconsistencies of that before us. I do not deny that there will be difficulties with any theory which would account for the origin and structure of a work of the character of this, antedating all other native records. But it is neither reasonable nor in any true sense scientific, if there be a feasible way of harmonizing the documents as they are, to reject the solemn and oft-repeated testimony which they give of themselves, sustained as it is by all the historical evidence accessible to us, Jewish and Christian, to take refuge in an hypothetical scheme such as we have been considering.

I have already pointed out a few of the sacred objects, supposably established truths, some of them, as it seems to me, fundamental to the Christian faith, as well as whole books of Scripture, that it has been found needful to offer up to this imperious theory. The list is not yet exhausted. The Book of Joel, until of late, has been held by the almost unanimous consent of scholars to be among the very oldest of the prophets. A critic now among the adherents of Well-

hausen wrote a work as late as 1875¹ in defence of this position. But Joel recognizes no other place of worship than Jerusalem; lays great stress on sacrifices, regarding it as something to be bewailed when they are hindered; names the people by the so-called Elohist term, *Qāhāl*, *congregation*. Hence, Joel can be no pre-exilian prophet. He must move down, and still further down, and take his place among the very last and lowest.² It is the exigency of the theory, mind you, that makes this requirement, nothing else. It is the dilemma into which they would be brought who say that no traces of this "Code of the Priests" are discoverable before the exile, if this mighty prophet of Judah were allowed to stand in his place and give his testimony.

A similar exigency accounts for the misplacing of another quite as important portion of Scripture—the patriarchal history and its sequel in Exodus and other books. It is supposed to belong, largely, as I have said, to this "Code of the Priests" made up in the exile. But there was a time when our critics took another view. They dated only the Levitical code of laws so late. But it was shown them, and they were compelled at the edge of the sword to yield the point, that, unless all critical principles hitherto acknowledged as valid were abandoned, the history must go with the code. They were an inseparable part of the same Elohist document.³ And so, humbly, but as we may

¹ Smend, *Moses apud Prophetas*, Halis. Cf. also his "Ueber die von den Propheten des achten Jahrhunderts vorausgesetzte Entwicklungsstufe der israelit. Religion" in *Stud. u. Kritiken* for 1876. In his Commentary, *Der Prophet Ezechiel* (1880), however, he goes wholly over to the theory of Wellhausen.

² Cf. Merx, *Die Proph. des Joel und ihrer Ausleger*, Halle, 1879; Stade, *De Populo Javan* (academical Programme), Giessen, 1880; and Delitzsch's Article on the other side, in the *Lutherische Zeitschrift* (1851), "Zwei sichere Ergebnisse im Betreff der Weissagungsschrift Joels."

³ See Richm's Article in review of Graf, in *Stud. u. Kritiken* (1868), pp. 350-379.

well believe far from thankfully, they took the history. An exigency of another sort was upon them. But, if I mistake not, they have plunged themselves thereby into vastly greater difficulties, wholly unforeseen at first. It has obliged them to separate themselves from some of the very ablest of their friends, who still regard this history as among the oldest parts of the Bible. It has forced them to reverse the old-time order of Elohist and Jehovist, and thus to leave at the chronological head of the Bible those two infinitely weighty chapters of Genesis which are the record of the Fall and its accompanying promise justly claimed to be of more importance than the whole Pentateuch besides. More than all, we have in this very Elohist history itself a document which carries within it the condemnation of the hypothesis. It simply does not agree, on any principles of theirs, with the laws to which they have reluctantly joined it. As actual history of those ancient times, it is intelligible, and can be accounted for; but as an invention of the time of the exile, to preface and introduce the Levitical legislation, it is preposterous! The contents of these chapters are heterogeneous. Their teachings respecting sacrifice; the technical names they apply to various offerings; the practices they allow or forbid, in other respects, and their whole point of view can be harmonized on no such supposition. The man, or the set of men, capable of originating the legislation of Leviticus and Numbers in the fifth century B.C., or in any other century, certainly was incapable of so absurd a thing as to invent the history that precedes it as its introduction, or finding it at hand consciously to use it as such.¹

¹ See Article by Delitzsch "Opfer," in Riehm's *Handwörterbuch des Bib. Altertums*, p. 1114. Cf. Watson, *ibid.* p. 191 f. He says of the *theological ideas* of the Patriarchs: "Did the patriarchs realize the idea of God's omnipresence? Genesis teaches us this

And then, besides, there is the abnormity of reasoning, as these critics do, about this "Code of the Priests." They claim that it is essentially a fiction, written to compass certain ends. It has its nucleus in the tabernacle and its rites, which never really existed, since it is only a reflection of Solomon's temple projected back into the Mosaic age. But, forthwith, they go on to reason about the document as though it were actual history, able to sustain the weightiest historical conclusions. They tell us of the emphasis it lays on the centralization of worship, on the distinction it makes between the priests and Levites, and the like, and insist that this shows an historical development appropriate only to the time of the exile. But, if the "Code of the Priests" be fiction, then it is not a history. And if it invented the story of the tabernacle and made it Mosaic simply for effect, who shall say that it did not invent the distinction between the priests and the Levites, and all the other details, also for effect? Who has a right to pronounce just where fancy ends and fact begins? It would appear that our boasted critical method is again at fault. True it is, that a romance may take the coloring of its time, and teach us history.

truth, but the Patriarchs had hardly learned it; cf. Gen. iii. 8; iv. 16; xvi. 13; xviii. 21. Did they regard God as one who searches the hearts and reins? The same answer may be given. Notice how God is represented as arriving at the knowledge of the guilt of Sodom and Gomorrah (Gen. xviii. 20-22). Observe the difference of tone between Abraham's simple and childlike expostulations with God in Gen. xviii. 23, etc., and the deep heart-searchings and anxious intercessions of the prophets." He remarks further of their *idoltrous systems*. "Image worship is not unknown, and there are such things as 'strange gods.' But idolatry is not the sin of the age. No idoltrous system is presented to our notice, the names of no false gods appear. The sinners of the age, the antediluvians and the inhabitants of Sodom and Gomorrah, are not described as worshipers of false gods, but as offenders against fundamental principles of morality. Here is a strong proof of genuineness. . . . What an irresistible temptation it would be to the later prophetic historian of the critical theory to utilize the flood and the destruction of Sodom and Gomorrah, in his attack against the sin of his age—idolatry." Watson illustrates the same principle in the matter of *political ideas*, the *nature of sin*, and the *absence of reference to persons and institutions of a later date*.

But when we have only the work itself to depend upon, who may decide where to draw the line? How, especially, can we know in the case of an imaginative writer like the present, who would carry us back into the Mosaic age, how much the castles in the air he builds will be modeled on principles that rule in his own, and how much be the reflection of other, times? ¹

Still further, we find it just as anomalous and inconsistent to claim, as this theory does, that works like ours should be imputed to Moses at all. Who was Moses? According to the theory (at least as developed by its principal advocates), a half-mythical hero living away back beyond the barbarous period of the judges whose mysterious figure is abnormally enlarged by the mists that envelop it. Why, then, this feverish anxiety of a people through a whole millennium to attribute their highest achievements in legislation to him who was at home in a period that knew no law? No one thinks of imputing the Magna Charta of England to Arthur of the Round Table. What gives to Moses a right to so high a position, when we must go by the royal David and the great Samuel to reach him? And why especially fictitiously ascribe to him two great codes of laws so diverse, and from this point of view so contradictory, as the Book of Deuteronomy and the "Code of the Priests." For we can understand how Moses himself after the experience of twice a score of years might modify, on entering Canaan, his own statutes. But that a priest of the time of the exile, or a company of priests, should seek to palm off as Mosaic the Levitical legislation on a reluctant people, in the face of Deuteronomy already, a little while before,

¹ This argument has been well put by Kittel, in *Theologische Studien aus Württemberg* (1881), pp. 40, 151 f.

ostensibly received as Mosaic, would be the height of absurdity; it would be invoking the name and authority of Moses for that which was demonstrably un-Mosaic.

This course appears still more unreasonable when it is noted that our critics are making ever less of the man of whom the books themselves have made so much. Until of late a modicum of Pentateuch laws has been allowed a great antiquity, at least in an oral form. This is true of the so-called Book of the Covenant, that is, four chapters in Exodus including the ten commandments. But now there is a weakening also here, Wellhausen seeing no good reason why the Mosaic origin even of the ten commandments should be maintained.¹ What is the cause? One reason is obvious: the existence of the ten commandments, especially the second of them, cannot be made to harmonize with the supposed earlier attitude of Israel toward idolatry. And do not all these ancient documents mysteriously "hang together," to use an expression of the critics? Place side by side this Book of the Covenant and the "Code of the Priests." Is there any falling off? Are not the ten words fully up in form and spirit to any part of it? But admit a Moses of the ten commandments, and their Sinaitic setting, and where can we stop, where is our theory of development? We have admitted the work of a master, and we must admit the master himself. We have a monument chiseled in stone that we are still proud to set high above any work of uninspired genius—there must have been an artist, too, greater and nobler than his work.

I find another inconsistency quite as great in the fact that this "Code of the Priests" is ascribed by our critics to the time of the exile. Why there especially?

¹ *Encyclopædia Britannica*, vol. xiii. p. 399.

Objections to placing it there are numerous enough, and not one reason for it, if you accept the simple matter of getting, in this way, the time required by such a theory of development. Outside of this supposed production, there is not in the entire period the first trace of any Mosaic tradition. One will look in vain in the Books of Ezra and Nehemiah for a single suggestion of the possibility of such an enterprise as this. The Torah Ezra introduces is conspicuously the old Mosaic. That part of it now called the "Code of the Priests" is never even cited in his writings. It is obviously not that which is mirrored in the peculiar legislation of the exile; is even directly opposed to it in some important respects. The high-priest of these post-exilian books, for instance, is far from holding the commanding place assigned in the Levitical law. The whole organization of the priesthood has undergone a decided change—new offices with new names, Nethinim, Sopherim, various leaders of music, being introduced of which this "Code of the Priests" knows nothing.

So that, aside from the serious difficulty of explaining how a work could have been written in the exile without a sign of the grammatical forms, syntax, and language of that period, but agreeing exactly in its archaisms with the oldest portions of the Pentateuch, we have this still weightier objection, of its essential, material inappropriateness to the age said to have produced it as the culmination of a process then reaching its bloom. The conclusion is scarcely to be resisted that here, again, an awkward theory needed to be accommodated. Our critics have at last simply unloaded at this point, with an apparent sense of relief, a document which they had tried in vain to adjust to

every previous age succeeding Moses. This age, too, equally protests against it; simply will not have it; scornfully repels with a reforming zeal, heightened by seventy years of exile, a literary imposture thus groundlessly charged upon it.

An important fact seems to have been strangely overlooked thus far in this whole discussion: that the time of the exile was the period when, as it is universally agreed, the synagogues came into prominence. Long musing by the rivers of Babylon had borne its fruit. Under the common guidance of priest and prophet it was beneath the open sky that prayer had been wont to be made. The false idea that worship was solely a matter of priestly functions and of brilliant shrines had been effectually exploded. Not alone the hard lot of exiles, but the disappointment of the second temple had brought it about, and the spiritual lesson which the seers of Judah and Israel alike had all along been striving to teach was at last acknowledged: that to understand the law and do it was more than all burnt-offering. On his return from Babylon, it was Ezra himself who set the example of liberty from ceremonial observances. At the very time when, as our critics think, he was surreptitiously introducing a priestly code of his own, from his pulpit of wood before the water-gate, he was acting in positive contravention of its exclusive spirit. Under the very shadow of the temple he was doing that for which these laws would have pointed him to the temple courts.

The same century could never have produced on any theory of development tendencies so directly antagonistic—the centripetal and centrifugal. A “Code of the Priests” can never have sprung, on naturalistic principles, from an age so bare of priests and priestly power,

It demands exclusiveness just when men are pining for greater breadth and freedom. It saddles with a burdensome ritual a people who have learned by recent experience how high the spirit is above the form. It makes centralization imperative, when God's providence is teaching the worth of a larger measure of diffusion and independence. It turns all eyes and calls all worshipers to the degenerate temple at the very crisis when began historically that grand popular movement in the direction of the synagogues which ended in supplanting altogether the dominant influence of the temple and its Sadducæan hierarchy.

This, moreover, suggests the consideration that the post-exilian history of the Jewish people down to this very day is just as much a matter that needs explanation on the basis of the present theory. For such a mighty growth as this you must have depth of soil, and you must have time. The decade of centuries antedating the exile are none too numerous. The clear-cut schism of the Samaritans; the singular attitude of the Israelitish nation over against the great world-powers—the Persian, the Greek, the Roman; the tremendous earnestness displaying itself in sects like those of the Pharisees and Sadducees; the heroic, and in the annals of religious wars as yet unequaled, struggle of the Maccabees; they have no sufficient ground in the shallow sacerdotalism of an aspiring priesthood of the exile. This is no mere zeal for ecclesiastical observances. “We fight,” said Judas Maccabæus, “for our lives and for our laws.”¹ And elsewhere, respecting the temple services of which they had been deprived, in a sentiment worthy of the Epistle to the Hebrews: “God did not choose the people for the place's sake, but the place for the people's sake.”²

¹ 1 Mac. iii. 21.

² 2 Mac. v. 19.

And the marvel of the Jewish race through eighteen Christian centuries, without political power, without a home, without a standing among the nations of the earth, forever ground between the upper and nether millstone of civil disabilities and moral obloquy, clearly resting under what one has called the "sacred anger" of their God, and yet ominously preserved, keeping unchanged every national peculiarity, succumbing to nothing, as little to the detestable ostracism and Jew-baiting of our day as to the barbarous cruelties of the Middle Ages: it can be accounted for by no theological ruffraff, no easy-going system of history and laws, which you may turn end for end without essential injury. No agnostic misconception indeed can veil the fact that in this people we have the archetype of a religious principle, rather a redemptive plan in its unfolding, reaching backward to the beginning, and in its very indestructibility a striking prophecy of the consummation.¹ We have heard of the demand which the sceptical Frederick II. of Prussia once made upon his chaplain: an unanswerable proof of the divinity of the Scriptures, plain and short, if possible, a single word. And you know how the demand was met, and met as was required, by a single word, and that word, just as full of mysterious meaning to-day as ever before, was—Israel.²

But a crowning inconsistency which I find in the methods and conclusions of our critics is that, while busy with codes and their proper distribution among the centuries, they have strangely overlooked the law-giver himself, have completely failed to account for the conception of such a character as that of Moses and the unique portrayal of it in the Pentateuch, Dazzled, as it should seem, by the glare of their own torches, they

¹ Cf. Rom. xi. 12.

² Cf. Naville, *The Christ* (1880), p. 204.

have never fully gauged the magnitude of the problem which they undertake to solve. When the destructive critics of the New Testament have finished their work, if such a supposition be allowable, and torn piecemeal the four histories of our Lord, parceling out the fragments to different hands and different times, there will still remain untouched, and forever above the reach of critical experts, the peerless Christ to be accounted for; and here, in like manner, is the Moses of the Pentateuch coming with radiant face from God's presence. A greater miracle than Jesus, he is called, if he be a product of the early age. But is it easier, then, to believe that a priestly coterie of Josiah's time and Ezra's time made him than that God made him?¹ Is the miracle one whit lessened, if he be regarded as a cheap composite, the patched up manikin of half a score of different hands, plying their crafty arts through half a score of centuries? As a gift of God's good providence sent for a special purpose, the character is intelligible. It has been ever so in human history, that great sons of their times have, sooner or later, responded to the clarion call of great opportunities. But, as the puppet of a show, the result of some hocus-pocus of Jehovist and

¹ Cf. Payne-Smith, *The Credibility of the Pentateuch*, p. 37 f. "Alike the patriotism, the self-denial, and the purposes sought by Moses are intelligible, if he were a real man, but the history is most improbable if he were a mythical hero. He might have made his own son his successor in the chieftainship: as a matter of fact he passes him by, and chooses instead Joshua, a young noble of the race of Ephraim. On the conquest of Canaan, Joshua receives large landed estates, but for the sons of Moses there was nothing more than their share of the Levitical offerings. Even the headship of the tribe of Levi belonged to Aaron, the elder brother of Moses; and upon him and his descendants the high-priesthood was conferred. They did consequently hold a grand position; but as for Moses himself, in 1 Chron. vi., after he has been barely mentioned, his race drops entirely out of the genealogy, while the family of Aaron is carefully described. All this is full of meaning typically and finds its explanation in New Testament truths; but to these I must not refer, as they lie outside the argument. I only point out the facts as given in the narrative, that while Moses conferred the spiritual power on Aaron, and provided for its permanent continuance, he took diligent care that his own kingly office (Deut. xxxiii. 5) should neither be permanent nor hereditary. Yet hereditary rights were not unknown."

Elohist, Deuteronomist and Redactor, a mere toy-picture, made of blocks, squared and painted by different hands—that strains our credulity too far. It is incredible.

Would any one venture the hypothesis that Raphael's Madonna di San Sisto might have been the mutual product of a number of different artists, who employed themselves in different periods upon it, while Raphael himself was but a sort of final redactor of the work? Is it a possible supposition that any half-dozen hewers of marble, though each one were gifted with a master's skill, could ever have realized the conception which Michael Angelo attained in his statue of Moses? It is not to be thought of. The marble itself must speak to brand it as false. But here is a unity and a completeness higher than that of art,—the unity of nature, the unity of a noble human life. Perfect it is not, for then it would be other than human; but—from that first sweet picture of the little child nestling in its cradle of papyrus leaves, among the reeds of the Nile, to that last, solemn journey to the top of Nebo, to get one glimpse of the dear land which, because of sin, he might not set his foot upon—unique, and to the final stroke beyond the possible reach of invention.

Greatest of all names in these ancient records, great as deliverer and leader of Israel; great as lawgiver and religious reformer in a savage age, what form more worthy than his to stand beside the shaggy Elijah as fit exponent of Israelitish history amidst the transfiguring glory of him who was its chiefest end and ripest bloom?

Conjured into the history he was not, and could not have been; and just as little can he be conjured out of it. But in it, and of it, then the miracle, if miracle it be, is

God's, and cannot be overthrown. And with the overshadowing personality of a Moses, indisputably fixed in the age of Moses, you have not only a sure and steadfast anchor for the documents that bear his name, but also a sufficient pledge of their genuineness and order.

The material universe during these cycles of time since the exodus has been slowly undergoing change. The "everlasting hills," of which the Psalmist speaks, have taken on other shapes, gradually yielding to the touch of time. But this sublime figure of the ancient books, and those first great truths he uttered so long ago, remain unchanged. Our critics may succeed in obscuring, for some and for a time, the image and its historic setting; but to efface or greatly alter it were impossible. Like the palimpsest of the gospel, it may be written over and over with other thoughts. But there will also be happy discoverers in the good time to come. The human will fade out at last, and the divine shine through.

II.

HISTORICAL SKETCH OF THE CRITICISM.¹

PREVIOUS to the Christian era there are no traces of a second opinion concerning the authorship of the Pentateuch : it was universally ascribed to Moses. So tenaciously, indeed, was the opinion held and so undisturbed was it by any critical questionings that the two foremost representatives of Jewish public sentiment and Jewish history in the time of our Lord, Philo² and Josephus,³ did not scruple even to state that the last eight verses of Deuteronomy which describe the lawgiver's death were, no less than the rest, from the lawgiver's hand. This opinion, as it concerned Mosaic authorship in general, our Lord and his disciples seem to have shared. In sixteen different passages, including parallels, Moses is referred to by the Master. In two of them (John iii. 14 ; vi. 32) he is connected with important events in the history of the exodus. In two others he is referred to as lawgiver (Matt. xxiii. 2 ; John vii. 19), and in the second in a manner too explicit to escape attention : " Did not Moses give you the law ? " In a number of others (Matt. viii. 4 ; cf. Mark i. 44 ; Luke v. 14 ; Matt. xix. 8. Cf. Mark x. 3-9 ; Mark vii. 10 ; Luke xx. 37 ; John

¹ Cf. Hartmann, *Historisch-kritische Forschungen*, pp. 1-71 ; Diestel, *Geschichte d. Alt. Test.* etc., p. 555 ff. ; Merx, " Nachwort " (pp. lxxviii.-cxxxii.) of Tuch's *Commentar über die Genesis* ; Bleek's *Einleitung in d. Alt. Test.*, ed. by Wellhausen, pp. 1-178 ; Siegfried, *Spinoza als Kritiker*, etc. ; Strack, in Herzog's *Encyk.*, art. " Pentateuch " ; Briggs, *Biblical Study*, pp. 164-213 ; Curtiss, " Sketches of Pentateuch Criticism " in the *Bibliotheca Sacra* for January 1884, pp. 1-23, 660-697.

² *De Vita Mosi*, iii. 39.

³ *Antiq.*, iv. 8, 48.

vii. 22, 23), most of them in circumstances apparently forbidding the theory of simple accommodation to a popular misconception, he speaks, respectively, of Moses as having given a law concerning leprosy (cf. Lev. xiii. xiv), concerning obedience to parents (cf. Ex. xx. 12), concerning divorce (cf. Deut. xxiv. 1-4),¹ thus directly imputing to him legislation belonging to each of the three great parts into which many modern critics divide the Pentateuch and refer to widely separated periods of time.

In three other passages (Mark xii. 26; Luke xvi. 29, 31; xxiv. 44) in speaking of the Old Testament, as a whole or in part, he employs the epithets, the "Book of Moses," "Moses and the Prophets," "the Law of Moses, the Prophets, and the Psalms," in a way, considering the usages of his times, to indicate that he accepted, or at least did not reject, the popular sentiment regarding the origin of the Pentateuch. And finally, in John v. 45-47, our Lord appeals to the "writings of Moses" as witnessing to him, telling his Jewish hearers that, if they really believed Moses, they would also believe him because Moses wrote of him.

It is well known, further, that different New Testament writers in numerous instances — not less than a score and a half altogether — follow the example thus set them by the Master and that there is not a single case of deviation from the rule of ascribing the Pentateuch to Moses, or, in other words, of connecting him with larger or smaller portions of it in a way to imply his literary responsibility for its contents as a whole.

These undisputed facts, now, are by no means cited at this point, as forestalling critical discussion and proving beyond question for everybody that Moses

¹ In Mark x. 5 he says Moses *wrote* this law.

actually wrote the Pentateuch or any considerable portions of it; but simply as historical facts having a very important bearing — and for some persons, at least, a decisive one ¹ — on the point at issue, and that cannot be left out of account whatever conclusions may be finally reached. There is no slight significance in the very strength of the later attestation in its relation to the earlier.

Of the testimony of the post-Mosaic biblical books it has been said that it is susceptible of a twofold interpretation and does not force us to the inference that they represent the whole Pentateuch to be Mosaic. Of the post-exilian writings, again, it is affirmed that their great distance from the period when the Pentateuch originated unfits them to be altogether competent and convincing witnesses to its authorship.

Due weight must be allowed to such objections. The latter one, in truth, is not enough considered by critics of the present day who often speak with the assurance of contemporaries and eyewitnesses of events that took place in the exodus period or before the flood. On the other hand, it must not be overlooked that if we have to do with a “tradition,” so called, it is one that is distinctly traceable in authentic sources of information; is uniform, uninterrupted, and universal, and when submitted to the test of national writers of acknowledged trustworthiness, of the purest motives, and the highest moral purpose, so far from breaking down or weakening in the least, it finds in them its clearest enunciation and its most emphatic support.

The circumstance is worthy of attention that the first, as far as we have information, to challenge the

¹ Cf. an Art. by Professor Boardman on “Inspiration” in the *Bibliotheca Sacra* for July, 1884, p. 528 f.

Mosaic authorship of the Pentateuch were the heretical leaders and skeptics of the sub-apostolic age. Not that this, in itself considered, should militate against the position from a critical point of view. It serves simply to show that, in this case, there is a motive sufficient to account for the interruption now, for the first time, made in the current of history. The objections offered are wholly of a dogmatic nature; they are not so much directed against Moses as Mosaism.

The Gnostic, for example, sees no way of escaping from the teachings of the Pentateuch as he finds it, and hence he separates it into parts having, as he claims, differences in origin and being vested with an unequal authority. The Nazarene, to whom animal food is obnoxious, in like manner refuses to accept as genuine any book that makes his forefathers consumers and offerers of the forbidden flesh.¹ The apostate Julian, on the other hand, simply vents his spleen on Moses, as he does on Jesus, and shows to what extent a rooted aversion has perverted his judgment when he charges the self-renunciating leader of the exodus with demagogism.²

In fact, a history of the criticism might almost pass by these earliest critics as standing quite outside the range of genuine seekers after truth, did not the same danger which they so conspicuously illustrate threaten us at every step in our inquiries. Prepossessions are inevitable. We can no more be rid of them than of our skins. They are, indeed, an essential part of our mental and moral furnishing.³ But stubborn

¹ *Epiphani's Panarion*. Haer. xviii. 1; xxxiii. 3, 4.

² Cf. *Juliani Imperatoris librorum contra Christianos quae supersunt*, ed. by Neumann, Leipz., 1880. Prolegomena, pp. 20, 21.

³ On this account, I cannot feel full sympathy with the views expressed in an able address delivered before the second annual Baptist Autumnal Conference by my

prejudice is quite another thing, and nothing is more fatal to the successful pursuit of facts. To claim to be free from it is the cheapest of professions. To be really free from it, one of the rarest of virtues.

The rise of anything that might properly be called criticism in the department of the Pentateuch seems to have been with Aben Ezra. His active life falls within the first half of the twelfth century. He was an ardent scholar, but a neo-Platonist in philosophy. His attitude toward the Scriptures is much in dispute. Pronounced it was not; nor can it be interpreted as antagonistic to the claim that "the law was given by Moses." When a compatriot, a certain "Isaac," remarks on the well-known verse in Genesis where, by implication, kings

esteemed friend, Dr. D. G. Lyon, of Cambridge, on "The Results of Modern Biblical Criticism." He says: "On the other hand, biblical criticism does not love the Bible. In common with all science, its only aim and its only love is truth. The Bible is to it what the stars are to astronomy, or the flowers to botany—the field of its exploration, within which it seeks the truth. Biblical criticism, as criticism, is the same whether practised by a pietist or a rationalist. The term 'devout criticism' would be impossible—fully as much so as the term 'Christian science.' The spirit of a critic may be Christian or otherwise; science has no religion and is hostile to none." Cf. *Proceedings*, &c., Boston, 1883, p. 60. I confess to liking better the careful statements of Principal Rainy (*The Bible and Criticism*, p. 136 f.; cf. p. 110 f.): "Now, I think, there is an interest here to be guarded, if we can guard it wisely. Some think that we should concede to criticism the right to work out its own results, taking no responsibility about them, showing no antagonism to any of them, assured that, in the end of the day, all established facts will be found harmonizing with all well-warranted faith. That is not a view in which I can acquiesce. I think criticism, even as carried on by believing men, needs an influence arising from the point of view of those who represent simply the interests of the common faith. I think it is the better for having to reckon with that. Critical probabilities are often no more than critical plausibilities. Besides, criticism, full of scientific enthusiasm for methods formed and proved in the field of general literature, is in danger of not always rightly estimating how the divine element in the Scriptures modifies the problem and qualifies the results. It is the business and the point of honor of criticism to do the utmost and the very best that can be done with the natural, the historical, the common laws and the common conditions; and in this case criticism is none the worse for a certain counter-pressure to compel her to make her work peculiarly sure when her problems are peculiarly delicate. . . . Every day of my life I fall in with critical opinions which I find myself dismissing from my mind as opinions which I am not going to adopt, partly, no doubt, because I don't think it likely any strong evidence will be found in support of them; but partly also because whatever presumptions could be pleaded for them, I rate highly the presumptions arising against them, from their apparent incongruity with what appears to me to be a sound and reasonable view of the Bible."

are ascribed to Israel (Gen. xxxvi. 31) that it must have been written in the days of Jehosaphat, this scholar takes him to task for the assertion and vindicates its origin in the Mosaic period (*Com. in* Deut. xxxiii. 5). His reasoning is far from brilliant; but what conclusion he would have us draw from it is beyond dispute. Hence when Aben Ezra elsewhere (in his comments on Deut. i. 2) indicates a number of passages in the Pentateuch as, in his view, of doubtful origin or doubtful meaning,¹ it is scarcely fair to go behind the record and charge him with holding some other opinion concerning them. His attitude is simply one of inquiry and is equally creditable to his discrimination and good sense. It cannot be considered as really prejudicing that which he elsewhere clearly assumes toward the Pentateuch as a whole.²

Following Aben Ezra the next critic in order of time to attract particular notice was Carlstadt, a contemporary of Luther (1480-1541).³ Vain as he was impetuous and rash, the Reformation never came nearer shipwreck than when he temporarily guided its fortunes during the absence of his chief at Wartburg. The very work which contains his criticisms on the Pentateuch contains also a subtle attack on Luther, whom he regarded as a rival.⁴

Carlstadt not only denied the Mosaic authorship of the

¹ "If thou shalt understand," he says, "the secret of the twelve [that is, concluding verses of the Pentateuch], also, 'Moses wrote this book' [Deut. xxxi. 9] and 'the Canaanite was then in the land' [Gen. xii. 6], 'in the mountain of the Lord he appeareth' [Gen. xxii. 14], also, 'behold his bed is a bed of iron' [Deut. iii. 11], thou shalt recognize the truth." The rabbinical commentary from which I verify this passage was published in Wilna, 1876.

² Similarly Hartmann: "Aber er wollte durch solche Andeutungen den Pentateuch keineswegs verdächtig machen oder das göttliche Ansehen des erlauchten Gesetzgebers im Geringsten schmälern." — *Forschungen*, etc., p. 1.

³ *De Canonicis Scripturis*, 1520.

⁴ Cf. Mayer, *Dissertatio de Karolstadio*, Greifswald, 1703. Jäger, *Andreas Bodenstein von Karlstadt*, Stuttgart, 1856.

Pentateuch, but declared the man demented who could attribute it to Moses.¹ His reasons, however, are as uncertain as his temper. Moses could not have written the account of his own death. But that account appears in the same style as the remainder of the Pentateuch. Hence, Moses could not have written the Pentateuch.

Those twelve concluding verses of Deuteronomy, however, make an exceedingly slender thread to bind together such massive argumentation. Were we to admit the ability of Carlstadt, or any other man, to decide the question of style with such limited means of comparison, and were we even to admit that the style of the Pentateuch is not Mosaic, we might be still a good way off from admitting that Moses is not responsible for the literary contents of the Pentateuch whatever may have been his sources, or whoever his amanuensis.

A little later, Andreas Masius (d. 1573), a venturesome Roman Catholic jurist, of Belgium, discussed the same topic. In the preface and other portions of a scholarly commentary on Joshua,² he advanced the opinion that Ezra, either alone or in conjunction with others, in editing the Pentateuch, as he assumes that he did, may have interpolated it, also, to the extent of single explanatory words, here and there, or possibly sentences. Still, he did so, if at all, according to Masius, under the special guidance of the Spirit who inspired Moses, the original writer. Even so mild and conservative a statement as this was held by his ecclesiastical superiors to be fraught with peril, and Masius's book was interdicted. That is, it was buried alive to come up again in a crop of similar, or more intemperate, works, like that of Carlstadt, which no interdict could reach.

For one such the world did not have long to wait: it

¹ *De Canonicis*, etc., p. 364 ff.

² *Josvæ Imperatoris Historia*, 1574.

was Hobbes's *Leviathan*.¹ In spirit and methods Hobbes was the forerunner of the modern scientific sceptic. He vigorously applied to history and revelation the principles that govern in the study of physics. Yet, in his criticisms of the Pentateuch, Hobbes was no iconoclast. Compared with Wellhausen's *Geschichte*, there is little in his book of portentous title that would now attract unusual attention, although at that time it cost him his position at court. He denied the Mosaic authorship of the Pentateuch as a whole, mainly on the ground of scattered expressions supposed to be inconsistent with such a theory. What is directly ascribed to Moses in the Pentateuch itself, as, for example, the fourteen chapters of legislation in the Book of Deuteronomy, even so much of a theological outlaw as Hobbes had not the hardihood to pronounce post-Mosaic.

A contemporaneous ally of the English critic was the Frenchman, Isaac Peyrère (1594–1676). His work on the Præadamites² provided him the opportunity for discoursing on the composition of the Pentateuch. He denied, for much the same reasons as Hobbes, that in its present form it is a work of Moses; but, like Hobbes, he conceded the participation of Moses in the composition. The leader of the exodus had kept a journal of principal events, including the giving of the law, and had prefaced the same with a history of the world from the beginning, not excepting the Præadamites. If these precious autographs had not been lost — Peyrère does not tell us how they were so soon lost, notwithstanding the evident care that was taken of them — we should not have had the anachronisms, confused arrangement, and obscurities of the present narrative; nor should we

¹ Published originally in 1651, new editions have appeared in England within the last three years. His works in full were published by Molesworth, London, 1839–45.

² *Systema Theologicum ex Præadamitarum Hypothesi*, 1655.

have been obliged to mourn the absence of all documentary support for the doctrine of the Præadamites, excepting only a single verse in the Epistle to the Romans (v. 14).

The fact that Peyrère was persuaded afterward to retract his pet theories, and also to abjure the Protestant faith, leaves the force of his reasoning, be it weak or strong, precisely where the retraction of Galileo left the movements of the heavenly bodies.

An abler critic than either Hobbes or Peyrère and a bolder one than even Carlstadt was Benedict Spinoza.¹ He was a Jew of extraordinary learning for his times and a man whom no pains could turn aside from his convictions. His great fault as a critic lay in his philosophy. He rejected, at the start, a supernatural revelation, miracle and prophecy, and was the father of all such as handle the weapons of rationalistic science in dealing with the Scriptures.

Following up the clues furnished by Aben Ezra, whom he, however, characterized as somewhat of a weathercock and trimmer, he went on to indicate still other peculiarities of the Pentateuch which, in his judgment, disprove the authorship of Moses. There was the fact that Moses is spoken of, so often, in the third person; that he is pronounced the meekest of men (Num. xii. 3); that certain places are called by names which they first received at a later period; that the hand that concludes the work describes the death of the lawgiver and lauds him as the first of prophets.

These considerations, Spinoza averred, furnish incontestable evidence that the Five Books are not from Moses. That he wrote parts of them is evident enough. He wrote a Book of the Wars of God (Ex. xvii. 14; cf.

¹ *Tractatus Theologico-Politicus*, 1670.

Num. xxi. 14), the Book of the Covenant (Ex. xx. 22-xxiv.), some Book of the Law (Deut. xxxi. 9), which furnished the basis for the present Book of Deuteronomy.¹ But the Pentateuch is the work of some late compiler, not unlikely Ezra. His unity of purpose is everywhere apparent; but he carries it out imperfectly and leaves not a little in the way of editing to be desired.

Thus far, critical discussions of the Pentateuch have been mostly of the nature of assaults on its genuineness and the chief response they have evoked has been that of authority and repression. With Richard Simon, whose book on the critical history of the Old Testament appeared eight years after that of Spinoza, began the answer of argument.² The laws of the Pentateuch, he contended, are the veritable autograph of Moses, while the history of his times was written, under his direction, by public annalists after Egyptian models. The somewhat heterogeneous products of these diverse pens, together with the Mosaic legislation, form the Pentateuch as we now have it. The theory was ingenious and, for a Roman Catholic writer of that day,

¹ Neither Spinoza, nor Hobbes mentioned above, gives Moses credit for anything like all that is ascribed to him in the Scriptures. He is said (Ex. xxiv. 4) to have written that part of Exodus styled (vs. 7) the Book of the Covenant (Ex. xx.-xxiii.). He wrote also the form in which that covenant was renewed (Ex. xxxiv. 10-26; cf. vs. 27). Nearly every law of the three middle books is directly traced to him as its authoritative mediator. The same is true of the code of Deuteronomy (xii.-xxvi.), if, indeed, it be not asserted in that book (xxx. 9) that all the Pentateuch is from his hand. It would be using the term "this law" in scarcely a broader sense than it is employed in the earlier part of Deuteronomy itself (i. 5). According to Exodus xvii. 14, again, Moses was commanded to write a document concerning the devotement of Amalek to destruction and it was to be written "in the book," that is, be added to records which had already been made (cf. Josh. xxx. 8). He is said, further, to have put down in writing a list of the more than forty stations where the Israelites encamped in the wilderness, and, clearly, not as simple scribe, but, as the context shows, as the divinely appointed leader of the host that went forth out of Egypt "under the hand of Moses and Aaron" (Num. xxxiii. 2; cf. vs. 1). The so-called "Song of Moses" (Deut. xxxii.) is declared not only to have been written down by him, but to have been taught to the children of Israel (cf. xxxi. 22).

² *Histoire Critique du Vieux Testament*, 1678.

ingenuous ; but it was cumbersome and very imperfectly applied.

Ostensibly to correct the mistakes of a predecessor, but really to complicate still more what De Wette called the "dangerous game" of the critics, appeared seven years later the anonymously published work of Le Clerc.¹ Under cover of a remonstrance with Simon for his intemperate assault on Protestant writers, this scholar airs a theory that in temerity would do credit to our own day. A variety of internal signs, he avers, disprove the Mosaic authorship of the Pentateuch (Gen. xii. 6; xiv. 14; xxxv. 21; xxxvi. 31; xxxvii. 14; xl. 15). It must have come into its present form at a much later period. Who so likely to have put his shaping hand upon it as that priest who in the Book of Kings (2 Kings xvii. 27 f.) is said to have been sent from Babylon to teach the Samaritan colonists the Jewish faith?

Simon, however, in another work,² took up the gauntlet thus thrown down ; and, convinced by him, or with more probability by the reasoning of the distinguished Hebraist, Witsius,³ Le Clerc soon afterward retracted his hypothesis,⁴ accounting for all internal difficulties in the Mosaic records as simple interpolations and vindicating for Moses the proper authorship of the work. Undeterred by so inglorious a surrender on the part of a contemporary, still another Dutch scholar, the Mennonite Anton van Dale, hazarded, in connection with a work on idolatry,⁵ the conjecture that the Pentateuch is a compilation at the hand of the exilian Ezra,

¹ *Sentimens de quelques théologiens de Hollande sur l'Histoire Critique*, 1685.

² *Réponse au livre intitulé Sentimens*, etc., 1696.

³ *Miscellaneorum Sacrorum Libri*, 1692, 1700.

⁴ *Commentary on Genesis (Prolegom. dissertat. tertia)*, 1693.

⁵ *De Origine et Progressu Idololatriæ*, 1696.

the pandects of Moses and writings of the earlier historians and prophets furnishing him the material.

Two things will have been specially observed in the review of opinions up to this point, and in what may be called its first period: first, and foremost, the extreme superficiality of the reasons given for denying the Mosaic authorship of the Pentateuch, although they have been thought worthy of an almost exact reproduction in our own day. It surely needs no great depth of insight to see the precariousness of the conclusion that because Moses could not well have written the last twelve verses of Deuteronomy, therefore he could not have been the author of the rest of the book; that because, in Gen. xiv. 14, Laish is called by the name of Dan, common in later times, therefore the section where it is found, in fact, the whole of Genesis, originated in the later times when that name was common. It betrays a remarkable confusion of ideas, in short, to accept as signs of authorship the very things that spring to the eye even of a cursory reader as evidence, if any exists, of editorship. It is not the freckle, but the face, that determines the complexion.

And, second, it appears that none of these adverse critics are disposed to deny the literary activity of Moses, or even his predominant influence in the composition of the Pentateuch. If we have not his autograph throughout, or even at all, it is conceded that the apographs are largely shaped by that autograph. Spinoza, who would have flinched, it is likely, from no conclusions to which his principles and reasoning seemed to lead him, finds no occasion as yet for dispensing with the chief figure of Hebrew history; as he finds no necessity for theories of wholesale invention and multitudinous textual corruptions. He does, it is

true, represent Ezra as a compiler; but that is still at a considerable remove from representing him as a conspirator.

As it concerns the general nature and results of Pentateuch criticism in this its opening period, its isolated and sporadic character is obvious. Schools of criticism there are none. No great critical authorities have thus far arisen, within the church or out of it, to attract a following by their superior position or to compel it by the force of their reasoning. In fact, the majority of controversialists are Philistines by profession.

Still, it is seldom that they seem inspired by such aversion as led Rimarius, a century later, to stigmatize the leader of the exodus as a shameless impostor.¹ It is rather a superabounding intellectual vitality or a restiveness of authority. One and all, as I have already hinted, concede to the hand of Moses what would now be thought a fatal preëminence everywhere. A part of them only have any knowledge of the original tongues of Scripture. With an embarrassing profusion of conjectures, there is a lamentable absence of really significant facts. The masses of believing people, meanwhile, along with the more thoughtful biblical scholars remain unmoved. The struggle has not yet transferred itself to the church. The famous representatives of Protestantism, Carpzov, Spanheim, Prideaux, and Vitringa, stand solidly together with the Roman Catholics Du Pin, Calmet, and Simon, in defence of the view that the Pentateuch is essentially Mosaic.

During the first eighty years of the eighteenth century no new assaults were made on this position. Michaelis, in his *Introduction to the Old Testament*, the

¹ Cf. the *Wolfenbüttel Fragments*. It was a work published by Lessing in a periodical form from 1771, under the title, *Zur Geschichte und Litteratur aus den Schätzen des herzoglichen Bibliothek zu Wolfenbüttel*.

first part of which did not appear till 1787,¹ could not well have been more pronounced in support of it. "That Moses," he says, "is the author of the five books which we ordinarily name from him is the common view of Jews and Christians; and I hold it," he adds, "not only as perfectly correct, but also as something which is as certain as anything that can be asserted of the author of an ancient book can be."²

That the books claim to be that for which the Jews held them, he regarded as indisputable. Later interpolations he would not deny; but that Ezra, David, or the high priest Hilkiah had surreptitiously introduced the compositions themselves could be easily shown from their contents to be false. With equal clearness, and to the same general effect, up to the last of the four editions of his voluminous *Introduction to the Old Testament*, appearing from 1782 to 1824, testified Johann Gottfried Eichhorn, although his work was one characterized by great boldness of conception, the highest scholarly enthusiasm, and was universally recognized as marking a new departure in theological science.

In the meantime, however, there were evident signs that the deepening current of Pentateuch criticism was about to be diverted into a new channel. As early as 1753 there had been published simultaneously at Brussels and Paris a little book by Jean Astruc, a devout and studious Roman Catholic physician, on the structure of Genesis.³ In this book much use was made of the circumstance that in Genesis the names of God, Elohim and Jehovah, are not employed indiscriminately,

¹ *Einleitung in die Göttlichen Schriften d. Alten Testaments*. Cf. pp. 150, 153, 156.

² A similar position, ably supported by arguments drawn from the works themselves, was taken by Jerusalem, *Briefe über die Mosaischen Schriften*, 1783.

³ *Conjectures sur les Mémoires originaux dont il paraît que Moïse s'est servi pour composer le livre de la Genèse*. It appeared in a German translation at Frankfort in 1789.

but usually alternate with one another in what appear to be alternate sections.

A new discovery by Astruc this was not. The same singularity had been observed by Simon, Vitranga, and others. But it was Astruc who first called particular attention to the fact, showed its extent, and sought to draw important conclusions from it. Such an employment of the divine names indicated, in his view, the use of documents in the preparation of the work, two leading ones and others of minor importance. Of these original records Moses, in his narrative of events which had occurred ages before his day, had made faithful and proper use. In fact, he had simply copied them literally and placed them, each by itself, in its related order. And it was due wholly to the careless hands of Moses' successors that in recasting them for the purpose of a connected narrative there had arisen the repetitions and other irregularities of Genesis as it now appears.

Of this original theory of Astruc, Eichhorn had availed himself; but by no means as a servile imitator. To the former's argument derived from the peculiar recurrence of the divine names, he added another, of which quite too confident and unrestricted an application has since been made, based on differences of style. The entire contents of the first fifty-two chapters of the Pentateuch he carefully divided up between these two documents, holding, however, that, in some rare cases, other authorities had been made use of.¹ From beginning to end, as it has been remarked, Eichhorn, like Astruc, was loyal to the prevailing, and almost universal, sentiment of his time, that, bating certain trifling additions by later editors, Moses was the responsible author of the Pentateuch.

¹ *Einleitung*, p. 107 f.

It is much to be regretted that so reverent a scholar as Astruc and so sharp a critic as Eichhorn did not see the necessity of discriminating between the fact that original documents were most likely used in the composition of Genesis¹ and the capacity of modern scholars clearly to distinguish and separate them from one another, even to closely connected phrases and single words. It is singular that numerous marked exceptions to the alleged methodical recurrence of the one or other divine name did not awaken a suspicion that something besides a diversity of documents was at the basis of such an interchange of titles; as, for example, a change of topic or of point of view.

It is an acknowledged impossibility, in fact, to found a rational theory of separable documents on the use of the divine names *as they now appear* in Genesis; it is needful first to introduce another theory that these names have been, to a greater or less extent, displaced and changed, to meet the exigencies of a continuous history. For it is far from true that the present so-called Elohim documents are exclusively Elohist or the Jehovah documents Jehovistic.² And were they so, what possible ground could it furnish for carrying on the rigorous analysis through Exodus, Leviticus, Num-

¹ That such a people as Israel is known to have been should have definite traditions both written and oral concerning their patriarchal ancestors and the beginnings of history and that these traditions were of sufficient strength to survive the hard experiences of Egypt is no unreasonable hypothesis.

² Cf. Professor Green's remarks in Schaff's edition of Herzog *s.v.* "Pentateuch," p. 1801: "As the ark of the covenant is the voucher for the unity of the sanctuary, and for the genuineness of the Mosaic legislation respecting it, so the contents of the ark form no inconsiderable bulwark for the unity of the Pentateuch. If monumental evidence is to be trusted, the Decalogue is Mosaic, and is preserved in Ex. xx. in its genuine authentic form. The critics assign it to the Jehovist, and claim for it the characteristics of Jehovistic style. But it has also the peculiar phrases of Deuteronomy; and the reason annexed to the fourth commandment is based on the Elohist account of the creation. (Gen. i. 1-ii. 3). This unquestionably Mosaic document includes Elohist, Jehovist, and Deuteronomist all in one."

bers, and Deuteronomy, where even this slight trace of diversity, or any other that can be made generally intelligible, fails to show itself? One looks for more clearness in what purport to be scientific investigations and results. The analysis of water into its original elements, or of atmospheric air, may be made demonstrative. Everybody accepts the conclusion, not because he wishes to, but because he must. In this other analysis, started by Astruc and brought to its climax, it is to be hoped, by Graf and Wellhausen, where elements are concerned more subtle and irresponsible to our tests than oxygen or hydrogen, there is nothing to compel the assent of incredulity. There is solely the dictum of that coterie of scholars who, for some reason best known to themselves, have adopted the current theory. If it were unanimous, it would still be far from indisputable or even very imposing.

Take, for example, the fourth chapter of Genesis, which, because the name for God used in it is generally Jehovah, is called Jehovistic. But the word Elohim is found in verse 25, and a satisfactory reason for its occurrence there, from the point of view of the document hypothesis, we are wholly unable to discover. Chapter xvii., on the other hand, is pronounced Elohist; but at the very beginning Jehovah is used interchangeably with El Shaddai:¹ "Now when Abram was ninety-nine years old Jehovah appeared to Abraham and said unto him I am El Shaddai; walk before me, and be thou perfect." The narrative then proceeds with the uniform use of Elohim till the next chapter is reached and there is a change of subject.

¹ This title is identified by critics generally with Elohim (cf. Gen. xxviii.). And they are consequently forced to say that in this passage Elohim stood in the original instead of Jehovah and was changed by the Jehovist. But this is entirely out of harmony with the usage of the Scriptures which makes El Shaddai correlative with Jehovah.

In Genesis xxviii. 20-22, again, in one and the same prayer both names of the Deity are employed. "If Elohim will be with me," says Jacob at Bethel, . . . "and I come again unto my father's house and Jehovah will be my Elohim, then this stone which I have set up as a pillar shall be the house of Elohim."

In Exodus iii., similarly, and inexplicably as it seems to us on the hypothesis of the documents, these two designations of the divine Being are freely used for one another in the account of the burning bush at Sinai. Of the unity of the narrative, there ought to be no doubt; it is stamped upon it as unmistakably as upon the coin from the mint. Its exceptional character in the use of the divine names, it is true, has been explained by calling it a mixed document. But it is the hypothesis of a baffled and bewildered criticism. The very necessity of acknowledging, in addition to other anomalies, the presence of such mixed documents is a confession of the inadequacy of a theory based on the alleged exclusive use of a certain divine name in certain original sections of the Pentateuch.

Why the two words Elohim and Jehovah alternate with one another so peculiarly in the earlier chapters of Genesis may be accounted for, to some extent, by a theory of diverse original sources of information. There is no disposition to deny that oral tradition, supported by various written documents, was very largely depended on in the composition of the work. But in *many cases* this peculiarity may be *better* accounted for by supposing that some specific moral purpose voiced itself in this way. What that purpose was it is not difficult in most instances even now to discover. It may be expected to appear more fully when the real meaning and inner relationships of the words Elohim and Jehovah have been determined.

Throughout the Pentateuch there is a marked recognition of the meaning of names. No fact is more deeply impressed on the history of the two chief patriarchs, Abraham and Jacob. And if we have Elohist and Jehovistic sections in Genesis, so we have in the Psalms and other Scriptures. In fact, we are much more likely to find a key to the anomalies of Genesis in the nineteenth Psalm, where the Creator, El, of the first part is boldly discriminated from the Revealer, Jehovah, of the second part, than in any *Conjectures sur les Mémoires*.

In Ecclesiastes, too, the only title used for God is Elohim, while in Proverbs the case is reversed and Jehovah only occurs. So in Job, while both titles are employed, it is in a way of unexampled eccentricity.¹ If there be a secret, therefore, it is not one that is confined to Genesis. It is, above all, no secret of Pentateuch criticism, in general, whose conjectural solution it is permitted to make the cornerstone of all its ponderous architectures.

But it was not by reasoning of this kind that the hypothesis of documents was to meet its overthrow; it was rather by a more consistent and thorough application of its own false postulates within the Pentateuch itself.² Astruc and Eichhorn had found traces of original sources in Genesis, but had been, naturally, much embarrassed in the really impossible task of dissecting them out and accounting for their present form. To this Sisyphean problem the criticism now addressed its chief energies and from that day to this it has presented itself largely in the rôle of the manipu-

¹ In the prologue, epilogue, and historical portions the title for God is Jehovah; while in the discourses proper, making up the body of the work, it is El or Eloah.

² Much the same line of reasoning found in Eichhorn is followed in Ilgen's *Die Urkunden*, etc., and Gramberg's *Libri Geneseos* . . . *adumbratio nova*.

lator of a bewildering spectacle of analyses vying with counter-analyses.

Where Eichhorn, for example, had seen two leading original sources with an occasional excerpt from others, Vater, apparently with the same spectacles, saw simply a mass of fragments with neither a logical nor chronological connection. Their present juxtaposition was due to a series of collectors and editors whose dates range from the time of David to that of Jeremiah.

To the objection that it is difficult to conceive of so many single, disconnected compositions as circulating about in a written form in Israel, he replies: "Difficult, to be sure, it is; but it is a difficulty which inheres in the subject, that is, in the form of the Pentateuch as it now appears. And it is far less difficult and a great deal less artificial than the theory of two documents covering the same ground, the parts of which have been patched together to make up Genesis."¹

Hasse took much the same view² in his earlier work, but retracted it twenty years later³ to return to the position that the Pentateuch is essentially Mosaic.

Its ablest supporter, next to Vater, and a more discriminating one than he, in some respects, was Anton Theodor Hartmann.⁴ In a series of investigations extending over more than six hundred octavo pages he aims to show from a variety of considerations that the so-called Books of Moses had their origin in a number of comparatively insignificant, more or less mythical, post-Mosaic fragments which formed the nuclei of larger collections and, finally, little by little, were brought together and took on the volume and orderly arrangement of the present Pentateuch. The problem of so mysterious, not to say miraculous, a growth min-

¹ *Commentar*, p. 514 f.

² *Aussichten zu künftigen Aufklärungen*, 1785.

³ *Entdeckungen*, etc., 1805.

⁴ *Forschungen*, etc.

istered to by invisible hands, witnessed to by no living creature, does not seem to have disturbed the equanimity with which the author of *Historisch-kritische Forschungen* announces his far from historical conclusions.

The theory of fragments, on which that of the documents now went to pieces, had, however, this advantage over its predecessor, that it applied with greater uniformity and consistency, not alone in Genesis, but throughout the Pentateuch, the principles of analysis it had inherited. This was at the same time its fatal misfortune. It brought up in absurdity. It failed to give any good account of the remarkable unity of design and symmetry of arrangement which are among the most noticeable characteristics of the work from beginning to end. Hence the necessity of new postulates in which this factor should have its proper place. It was provided in what soon came to be known as the theory of *supplements*.

The way had been prepared for it by publications from De Wette,¹ Ewald,² Gramberg,³ Stähelin,⁴ Bleek,⁵ Tuch,⁶ and others, who during the first forty years of the present century had been wrestling with the same problem as Vater and Hartmann, but after another method. The latter had made a chief object of the analysis, carrying it to the point of disintegration; the former worked on the hypothesis of unity, and were constructive where the other had been destructive.

De Wette, for example, characterized what seemed to him to be the fundamental portion of Genesis as an "Elohim Epic." Ewald called it the "Book of Origins." Tuch, the "Original Document." One and all recognized an historical groundwork and vindicated for

¹ *Kritik der Is. Geschichte*, 1807. ² *Composition der Genesis*, 1823. ³ *Libri Genesios*, etc., 1828. ⁴ *Kritische Untersuchungen*, 1830. ⁵ *De libri Genesios origine*, 1836.

⁶ *Com.*, 1838.

the composition a marked unity of plan, which, however, they refused to believe existed from the beginning. An original Elohim document had been worked up by a process of supplements and interpolations into what we now have essentially in Genesis ; and the hand that did it was that of the Jehovist. "Nay, not Genesis alone," says Tuch : "but the whole Hexateuch, excepting Deuteronomy, including the legislation, has at its basis an historical composition, in which God is styled Elohim." Of this the Jehovist made the freest use, changing it and adding to it to suit his purpose, until the result, in its main features, is before us.

A very harmless theory, one might say. Only put Moses in the place of the Jehovist, and endue him with that "wisdom from above," which we know he must have had, and what can one want more? But the theory is far from being either harmless or consistent. It is not to be forgotten that Deuteronomy is unceremoniously dropped out of the arrangement as a later production and with it, naturally, goes Moses, at least, the Moses of the exodus.¹ It is to be carefully remembered that these men, worthy men and admirable scholars, nevertheless of like passions with ourselves, professed to be able to point out the — to us — invisible boundaries of the so-called original document, the places where it has been supplemented and where it has been changed, but with a fatal lack of unanimity in doing it.

It is well known, moreover, to all who have given the subject attention, that this alleged original document, announced as containing a continuous history from the beginning of the world, when stripped of its supposed accessories, has the appearance of anything else rather

¹ A later effort of Stähelin (*Kritische Untersuchungen über den Pentateuch*, etc., 1843) to show that the Jehovist and the Deuteronomist were one and the same person, Delitzsch characterizes (*Com. über die Genesis*, p. 34) as a failure.

than a continuous history. It is almost as lean a collection of planless, unintelligible fragments as the conjectural additions of the Jehovist would be when separated from their context.

And, what is still more serious, we find that this so-named original history, in a number of signal instances, refers back to matters which, by our critics, are made a part of the Jehovist's additions.¹ The advocates of the theory will tell us, it is true, that these are Jehovistic interpolations in the body of the Elohim document, or are *disjecta membra*, that the Elohim document itself originally contained, and more besides; all of which to a simple inquirer, who is not already prepossessed with accordant theories, has quite too much the appearance of evasion.

But objections arising from without and from an alleged "unscientific" point of view could not be expected to have great weight with the scholars most concerned. There were others, however, to which they could not remain insensible. The theory of documents had died of too much analysis. Its originals, by its own friends and its own reasoning, were shown to be but disconnected fragments that could never be accepted as the foundation of the Pentateuch. The theory of supplements, on the other hand, died of too little analysis. If Vater and Hartmann had gone too far, just as surely, it was now affirmed, had Ewald and Bleek failed to go far enough. With an eye single to the unity of the work, they had overlooked important evidences of diversity. An edited "Book of Origins" did not meet the conditions of the problem.

It was Hupfeld who led the vigorous and successful

¹ With Gen. v. 29 cf. iii. 17; with xvii. 20, xvi. 10; xix. 29 with xiii. 10-13; xxii. 19 with xxi. 33. For other passages see Keil's *Introd.* i., p. 96.

attack on the current hypothesis.¹ He charged it with accepting as a sole original document what was itself but an obvious compilation. Its so-called Elohim original ought to be divided, as already Ilgen,² fifty years before, had pointed out, not merely into two wholly separate Elohim originals, but had been loaded down besides with a mass of heterogeneous materials that quite obscured its true character. The supposed Jehovist editor was really no editor at all, but represented an original work.

There were, in fact, three continuous historical compositions at the foundation of the Pentateuch, two Elohist and one Jehovist. The first began with the creation and ended with the partition of Canaan. The second, beginning with Genesis xx., treated only of the patriarchs and bore a striking resemblance to the Jehovist. The latter, like the first Elohist, originally contained a narrative beginning with the creation. These three quite independent accounts a later editor combined into a continuous one, hesitating at no liberties with the text he had before him to accomplish his design.

This was the hypothesis of Hupfeld, and, unsubstantial as to some it might appear, it proved to be made of tougher material than its predecessor, which was not long in giving way before it. Critics since his time have, indeed, here and there, shown a disposition to yield reluctantly a position which had been so ably defended by masters of Old Testament research; but there can be no disputing the fact that the main current of the criticism passed quickly into the channel which Hupfeld's strong blows cleaved for it.

Henceforth we hear less of a document and more of

¹ *Quellen der Genesis*, 1853.

² *Die Urkunden*, etc., 1798.

documents. The Jehovist takes his place beside the Elohist, like an Aaron beside Moses. And a second Elohist, introduced to relieve perplexity, has become the innocent cause of other perplexities. Above all a Redactor comes upon the stage who, from being, at first, a mere shifter of the scenery, in a brief decade or two grows to be the chief personage of the drama.

The grounds of Hupfeld's conclusions we cannot tarry to elucidate at length. They were mainly these two: the peculiar use of the divine names, and the discrepancies alleged to exist between the Jehovist and Elohist, on the one hand, and the two Elohist compared together, on the other. He failed, however, to tell us how his theory of a later editor who was blind to these discrepancies while sharp enough in other respects can help the matter. Might not the Jehovist, too, easily have overlooked or accounted trivial supposed disharmonies which a Redactor equipped with modern German wisdom and dialectics did not stumble at, and with which, moreover, the Jewish people for nearly three millenniums have had no serious difficulty? But, at least, a point had been gained in shifting an uneasy burden. It could scarcely be expected that it would voluntarily be again put back on the same sore spot.

Before proceeding, now, to show the main course which the criticism naturally took under Hupfeld's sturdy impulsion, especially its chief development in our own times, it may be well to indicate diverging lines. As I have said, with him, about thirty years ago, some were inclined to call a halt. They refused to follow the new master. The measuring-rule of the analysis began, apparently, to look too much like the wand of a conjurer.

Among these separatists and remonstrants was Schrader, the latest editor of De Wette's *Introduction to the Old Testament*.

The theory he represents is remarkable for the precision and assurance with which different documents, so called, are assigned to certain periods and places in Israelitish history.¹ The leading Elohim section, for example, he affirms to be the work of a priest of David's time. It extends to the end of the Book of Joshua. The second Elohist was probably from northern Israel. He wrote soon after the disruption of the kingdom (975-950 B.C.). Down to near the middle of the first Book of Kings (1 Kings ix. 28) his hand can be distinctly traced. The Jehovist was also a northern Israelite, who came upon the stage a little more than a century later (825-800 B.C.). He combined the two Elohist's in one work with his own, adding to the compilation not a little of what was then current in the form of oral tradition. Deuteronomy (iv. 44-xxviii.) sprung up about two hundred years later, its author himself uniting it to the still incomplete Hexateuch structure. After the Babylonian exile, Joshua was separated from the other five books.²

It will be seen that Schrader follows Hupfeld but in part. He agrees with him in his main divisions, but differs as it respects the origin of the work as a whole.

Another independent critic of high rank is Nöldeke.³ According to him the authors of all the three principal documents lived during, or not long after, the time of David; but the first Elohist was the last to appear. The Jehovist worked over the second Elohist; but it is

¹ Cf. *Lehrbuch der Historisch-kritischen Einleitung* (De Wette's), 1869, pp. 252-325, and art. "Pentateuch" in Schenkel's *Bibel-Lex.*

² See a careful *résumé* of this and other theories in Strack's art. "Pentateuch" in Herzog's *Encyk.* 2te Aufl.

³ *Untersuchungen zur Kritik d. A. T.* 1869.

impossible now to separate the two into their constituent parts. The Deuteronomist wrote antecedent to the reforms of Josiah and incorporated his work with the Hexateuch. Most significant is Nöldeke's position in two respects: that like Schrader he believes Deuteronomy followed not only the second but the first Elohist, and that the attempt to classify, at present, two of the leading so-called original documents of the Pentateuch is labor lost.

More important even than the dissent of Schrader and Nöldeke is that of August Dillmann. As to the difference in age between the two Elohist he ventures to assert nothing. The second is certainly somewhat older than the Jehovist, who makes use of it, and seems, like Deuteronomy, to have arisen not long before the reign of Josiah. All the three are based on still more ancient authorities, the nucleus of the second Elohist being the Book of the Covenant (Ex. xx. 22–xxiii. 19). In this last statement, Dillmann, it will be carefully noted, differs from most other critics early and late, who assign this important portion of Exodus to the Jehovist, Nöldeke, however, avowing a *non possumus*.

In his commentary on Genesis published twelve years since,¹ Delitzsch characterized an assertion of Merx,² that Hupfeld had overthrown the hypothesis of supplements, as a mistake. In the cases just cited we see few signs of its survival except as a wreck, portions of which have been variously fitted up, according to individual taste, to complete, if possible, the uncertain voyage. Delitzsch himself has so far modified his views within a short time that even the hypothesis of supplements must now look exceedingly antiquated to him. He accepts, contrary to Schrader and Dillmann, the order

¹ *Com. über die Genesis*, 1872. Cf. p. 34. ² Tuch's *Com.* 2te Aufl. p. lxxxviii. ff.

of the documents adopted by the most recent analysts, that is, Jehovist, second Elohist, Deuteronomy, first Elohist, but differs greatly from them as respects the time of composition. The Jehovist and Deuteronomist, as he holds, both wrote before Isaiah, the second Elohist before Ezekiel; and while the work of composing and emending the Pentateuch probably went on till after the Babylonian exile, it is still fundamentally Mosaic and the product of supernatural revelation.

Professor Delitzsch,¹ as his many pupils and friends gladly recognize, is a strong and delightful man and an admirable scholar. But it is a very stiff and ugly current, in which he has thus placed himself, and the result is not yet clear. He will at least pardon the wish that he may get safely out of it.

And here it may not be amiss to consider some important conclusions that seem to flow out of the several sporadic views we have been considering. They are important out of all proportion to their number. They are not the views of laymen, but of eminent biblical scholars who believe in criticism and, to a greater or less extent, in the principles of Pentateuch analysis. These scholars notoriously disagree not only, in some points, from one another, but especially from the great body of critics with whom they are often indiscriminately classed. If it were simply a difference of view respecting the time when the several documents appeared, though the difference were a thousand years, as in some cases it is, it would be, from the *point of view of the criticism*, serious without being strictly essential. But when one calls the Book of the Covenant (Ex. xx. 22-xxiii. 19) with all its striking

¹ Cf., in addition to "Pentateuch-kritische Studien" in *Zeitschrift für Kirchliche Wissenschaft*, etc. 1880, *Hebrew Student*, 1882, Nos. i.-iv. and Curtiss's art. "Delitzsch on the Origin and Composition of the Pentateuch" in *Presbyterian Review*, July, 1882.

characteristics Elohistie while others call it Jehovistic, it touches the vital question of the analysis at a vital point. It is, in fact, an axe laid at the root of the tree.

When another, who fully believes in this newly discovered prerogative for determining and resolving documents in the Pentateuch, nevertheless disputes the power of anybody to separate Jehovist from second Elohist, it is a staggering blow at the very foundation of the critical fabric. When such scholars as Schrader, Nöldeke, and Dillmann unite in the opinion that the latest composition of the Pentateuch is Deuteronomy, the fact that this is the old historical position is of little account here in comparison with another matter: that the critics are divided at a point where the contact should have been closest. A fatal distrust of critical opinions is necessarily awakened. One may, indeed, be pointed back to the first nine chapters of Genesis and reminded that at this point Nöldeke and Dillmann find themselves in almost exact agreement in what they impute to the first Elohist. The only difference, it is said, concerns five verses or parts of verses. But opinions on the first few chapters of Genesis are harmless byplay compared with the dismemberment and dislocation of the Pentateuch. Besides, there is still a difference in five verses or parts of verses. And it is by no means certain that this apparently small disagreement, taken in connection with other anomalies of the criticism, does not thoroughly vitiate the whole matter, investing it with elements of uncertainty that not only destroy its value for purposes of scientific study, but also, and especially, show its incompatibility with a revelation such as the Bible purports to be.

We now turn to follow the main current of the criticism from the time of Hupfeld. The work of

Edward Böhmer¹ was of minor interest except as an indication of the self-assurance bordering on frivolity with which subjective opinions were pronounced on the age and order of appearance of the Pentateuch compositions. His principal difference from Hupfeld was in a more detailed and slightly altered analysis.

In 1861 Knobel completed his series of scholarly commentaries on the Hexateuch. In themselves considered they marked a reaction from current views. But Knobel was no come-outer. He was simply a surviving representative of an earlier order of things. The flood had not floated, but only stranded, him. His continued advocacy of the exploded supplement hypothesis, together with a quite original analysis, excited curiosity but did not win adherents. Critics have even had the temerity since to suggest that the documents of which he so confidently spoke had no existence, save in Knobel's imagination.²

Keil's Commentary on the Pentateuch also began to appear in 1861. It is needless to say that its clear reasoning and conservative spirit had no perceptible influence in checking the tide so strongly setting in a contrary direction. It was no fault of Keil. His arguments from his own point of view, which we must believe to be in the main correct, have never been answered. They are unanswerable. Kiel's misfortune was, if it can be styled a misfortune to be called upon to "face a frowning world" in defence of what one believes to be the truth, that the *Zeitgeist* was against him. Some day, however, this very fact may prove to be his grandest distinction.

Bishop Colenso's voluminous work³ added little to

¹ *Das Erste Buch der Thora*, etc. 1862.

² Kuenen, in Bleek's *Einleit.* (1878), p. 153.

³ *The Pentateuch and Book of Joshua Critically Examined*, 1862.

the discussion that was new; it added something to the acerbity and tartness of it, and served to advertise more widely the revolutionary movement that was in progress beyond the English Channel.

The same year, however, there appeared a little treatise by Julius Popper,¹ which, though extravagant even to incoherence in some of its positions, in one important respect marked a turning-point in the criticism of the Pentateuch. The legislation that concerned the building of the tabernacle contained in Exodus xxxv.-xl., and the consecration of the priests in Leviticus viii.-x., according to him, did not take on its present form until long after the period of the exile. Moreover, the work ascribed to the first Elohists, so far from being a connected composition was the product of a long-continued revision (*diaskene*) to which even Ezra was far from giving the finishing-touch.

Popper's conclusions, which he largely deduced from the divergences of the Samaritan and Septuagint texts from the Massoretic, were too slenderly supported to attract more than a very limited attention. But they served to encourage the watchful Graf in a scheme which, as subsequently elaborated by Wellhausen, now dominates Germany.

Graf was a pupil of Reuss.² For more than fifty years the master has been unsuccessfully iterating views for which the pupil, only in another form and manner, won an almost immediate hearing. Perhaps, for once, the Frenchman failed in the traditional suavity as well as in tact. He would not allow that even the Decalogue is Mosaic. The historical portions of the Pentateuch he bluntly declared to be a "gross

¹ *Der Biblische Bericht über die Stiftshütte*, etc.

² Cf. his *Geschichte des Alten Test.* § 71, and others of his works noted in the Bibliography.

fiction . . . dreams of an impoverished people." Its laws really arose after the Prophets and are a post-exilian precipitate following ages of production and revision. The Book of the Covenant belongs to the time of Jehosaphat. Deuteronomy is an invention of Josiah to help out a lagging reform.

Such bold statements of Reuss, which his pupil and literary successor was to clothe in a less repugnant form and support by more telling arguments, radical as they may appear, actually show but a slight divergence from the position of Hupfeld and Böhmer, save in the one intangible element of time. It is not a difference in underlying principles. Reuss, Vater, and Vatke simply refused to wait for the slow deductions which brought their fellows and successors at last to the same result. They unceremoniously leaped the chasm which Graf's hypothesis bridged. The chief service of the latter is well illustrated by a remark of Duhm:¹ "Nothing is simpler," he says, "than the theory of Graf. It was only needful to place a single original authority, which is generally called the 'fundamental document,' by others, the 'Book of Origins,' as the composition of the first Elohist . . . in the post-exilian times, in the days of Ezra and Nehemiah, in order, with one blow, to put the 'Mosaic period' out of the world."

Graf's earliest publication² was mainly tentative, yet quite in the line of his latest conclusions. In it he took the ground that the tabernacle is simply a diminutive copy of Solomon's temple. All that was said about it in the middle books of the Pentateuch belongs to their latest post-exilian accretions. Eleven years later when his principal work appeared,³ he was prepared to

¹ *Die Theologie der Propheten*, p. 17.

² *Commentatio de templo Silonensi*, 1855.

³ *Die Geschichtlichen Bücher des A. T.* 1866.

say that not only the legislation which concerned the tabernacle, but all the laws of the first Elohist — that is, the great body of legislation found in Exodus, Leviticus, and Numbers — was of the same late origin. The historical portions of this document, however, as had been held all along since Astruc's day by the majority of critics, he still made the oldest portions of the Pentateuch.

Like Stähelin¹ and Bertheau² before him, he found the nucleus of this conglomerate of compositions in the laws that make up its middle part. To provide a place for them seemed to him the first concern. In doing this Graf wrenched the first Elohist out of its historical setting and brought inextricable confusion into the analysis. His order of documents was: first Elohist, (historical portions), Jehovist (including second Elohist), Deuteronomist, final Redactor (who enlarged the collection by the addition of the Levitical and other priestly legislation). But this final Redactor, so called, was really no other than the first Elohist, reappearing under another name. So Riehm³ and others⁴ pointed out and argued that, unless Graf gave up the leading principles of the analysis as hitherto applied, he had no right to separate the legislative portions of this the most important document of the Pentateuch from the historical. Graf yielded to the force of this argumentation,⁵ but without retracing his steps. "Riehm is right," he said, "and hence I must maintain that the whole of the first Elohist, history as well as laws, is post-exilian."

It was an audacious announcement, but one for which

¹ *Ibid.*

² *Die Sieben Gruppen Mosaischer Gesetze*, 1840.

³ *Stud. u. Kritik*. 1868, pp. 350-379.

⁴ Kuenen, *De Godsdienst van Israel*, p. 202.

⁵ Merx, *Archiv*, etc. 1869, pp. 466-477.

the way had been prepared, as we have seen, by Reuss, Popper, and the earlier works of Graf himself. The time had come, in fact, when critics were waiting for another turn of the kaleidoscope. The old combinations no longer satisfied them. The documents found no secure resting-places in the periods to which they had been assigned. It remains to be seen how long the present hypothesis, supported though it be by an external unanimity hitherto unknown, can resist the elements of antagonism and disruption that even in greater measure have been gathered up within it.

One of the first to come to the defence of the new position was Kuenen,¹ who argued its truthfulness from an historic point of view. Then Kayser,² who treated more especially the literary side of the argument. Following them was Duhm,³ who, assuming the theory to be established, attempted to construct a theology of the prophets on the basis of it. So far from being dependent on the Mosaic history and institutions, they antedated them, as he held: in fact, were the indirect occasion and inspiration of them.

None of these writers, however, exerted a tithe of the influence, in bringing the hypothesis to its present wide prevalence, of Julius Wellhausen.⁴ By the boldness of his conjectures, the precision of his analysis, the keenness and breadth of his reasoning, sophistical and specious only, though it often is, as well as by an unusually attractive style, he has succeeded in giving it a currency which is, at least, unexampled in the history of Old Testament criticism. He marks the culminating point in that method of criticism that took its rise with

¹ *Ibid.*, and numerous articles in the *Theologisch Tijdschrift*.

² *Das vorexilische Buch*, etc. 1874.

³ *Ibid.*

⁴ *Jahrbücher für deutsche Theologie*, 1877, 1878; Bleek's *Einleitung* (1878); *Geschichte Israel's* (1878); Art. "Israel" in the *Encyclopædia Britannica*, etc.

Astruc and Eichhorn. But the distance at which he stands removed from Astruc and Eichhorn, or even from De Wette and Bleek, it would be difficult for the uninitiated to conceive.

It was a simple thing to do, as Duhm affirmed, to transfer what had been regarded as the fundamental document of the Pentateuch, and making up one half of its matter,¹ to the period of the Persian supremacy. What is easier than a conjecture? Two efforts of Graf, with the encouragement of his master and other sympathizers, accomplished it. But if it be anything more than a conjecture, if it rest on fact, it is a stupendous change that has been effected. The keystone has been taken from the arch of Israelitish history, as hitherto read and understood, and the whole structure lies in ruins. I have already, in the introductory paper, noted some objections and indicated a few of the startling results flowing from such an hypothesis. I will here content myself in concluding the present one with offering some additional reasons for regarding it *only as an hypothesis*, and palpably one of the most untenable character.

The scheme, as already outlined, calls for the following division and distribution of the Pentateuch: we have first the Book of the Covenant (Ex. xx.-xxiii., xxxiv.), which is tolerably ancient; but, if dating from Moses, not necessarily left by him in a written form or containing the Decalogue in its present shape. Then, the Jehovist and second Elohist, circulating orally and separately at first and so undergoing changes and additions, to be at last united together by the Jehovist in the period after the division of the kingdom. Third, the laws of Deuteronomy and other Deuteronomic

¹ For its contents see the table at the close of this paper.

revisions toward the end of the seventh century B.C. Fourth, the programme of Ezekiel's temple (xl.-xlviii.), marking the greatest transition of the history. Fifth, certain chapters of Leviticus (xvii.-xxvi.). Sixth, the first Elohist, or "Priests' Code" as it has come to be called, containing the rest of the laws of the Pentateuch with their historical setting prefaced by the account of the creation (Gen. i.). The whole work was completed and introduced, according to Wellhausen, in the year 444 B.C., and in this most delicate and most difficult operation of all the chief rôle was assumed by the "Redactor."

(1) It may be remarked now, first, as it respects such a scheme, that it is by no means claimed by its opponents that the assumption of the Mosaic authorship of the Pentateuch removes all difficulties from the question of its composition, but simply that this assumption is beset with the fewest difficulties.

(2) It is one of the clearly mistaken postulates of the proposed hypothesis that it represents the Israel of the Mosaic period as an undisciplined and savage horde. As matter of fact, it had already become a separate people and was rapidly developed into a nation in the midst of abundant means and inspiring models for high social, literary, and religious progress.

(3) Granting for the moment the reality of what is apparently claimed in the Pentateuch to be Moses and the work of Moses, it cannot but be acknowledged that there is no character, in the Bible or out of it, better fitted to be the mediator of such laws and the *magna pars* of such a history than the adopted son of Pharaoh's daughter, the reputed leader of the exodus.

(4) It is incredible that a people long under the influence of Egypt, where a powerful priesthood with

established rights and privileges existed, should itself have remained a whole millennium of subsequent independent existence without priests or written regulations for them.

(5) The positive and often-repeated claim made in the Pentateuch itself for Mosaic authorship in general has not only the emphatic, if sometimes exaggerated, external support of all authorities from his day downward, but also the incidental corroboration of a multitude of internal characteristics appropriate to his age and circumstances. To all this the counter-evidence of the criticism can hold no comparison either in trustworthiness or extent.

(6) The doctrinal teaching of those parts of the Pentateuch assigned by the Wellhausen theory to the time of the exile, at least equally with its other portions, is of a primitive and undeveloped character, reflecting rather an Israelitic connection with the Egypt of Rameses II. and ancient Chaldæa than with Cyrus and his successors of the Persian period.

(7) It is not denied that documents were used in the composition of Genesis and to a limited extent in the other five books of the Hexateuch. *A priori* nothing could be more likely. But it is denied, the critics themselves being among our witnesses, that any reliable criteria have as yet been discovered, or are likely to be discovered, for discriminating with accuracy among them.¹

¹ The remarks of Professor Green, in the American edition of Herzog's *Encyk. s.v.* "Pentateuch," p. 1801, are worthy of special attention. He says of the critical analysis of the Pentateuch: "Some things are plausibly said in its favor, but there are serious objections to it which have never yet been removed. I cannot regard it as certainly established, even in the Book of Genesis, much less in the remainder of the Pentateuch where even Bleek confessed he could no longer sunder the Elohist from the Jehovist: the second Elohist he could find nowhere. Thus much, at least, may be safely said; the criteria of this proposed analysis are so subtle, not to say mechanical, in their nature, so many purely conjectural assumptions are involved, and there is such an entire absence of exter-

(8) While differences of style may be recognized to some extent, even within the limits of the Hebrew of the Pentateuch, it is often quite as likely to be due to a difference in the matter treated as to diverse authorship or date. In any case, the style of the "Priests' Code," assigned by Wellhausen to the exile, must be admitted to have the peculiar coloring of the most ancient Biblical Hebrew, and to be burdened in places with infinitesimal details touching matters foreign to the cultus of the later period.¹

(9) The matter of the time when the documents were composed is not to be confounded with other questions that concern their separation and distribution. If the latter, from the nature of the case, are largely conjectural, the former is still more so. Dillmann, Schrader, and Riehm, who accept certain features of the analysis, nevertheless insist that the first Elohist is the oldest document of the Pentateuch, while Graf, Wellhausen, and others claim that it is the youngest; and some who adopt Wellhausen's order of arrangement differ extremely from him as it respects origin and date.

nal corroborative testimony, that no reliance can be placed in its conclusions, where these conflict with statements of the history itself. Genesis may be made up of various documents and yet have been compiled by Moses. And the same thing is possible in the later books of the Pentateuch."

¹ Cf. Ryssel, *De Elohistæ Pentateuchici Sermones*, and Delitzsch in *Zeitschrift für Kirchliche Wissenschaft*, etc. 1880, pp. 393-399. The remark of Driver, in the second edition of his excellent *Treatise on the Use of the Hebrew Tenses* (Oxford, 1881), Preface, p. x., that Delitzsch, in this article, unreservedly accepts the position that the use of אֱלֹהִים as a feminine in the Pentateuch is not an archaism, seems to me to be an incorrect inference from Delitzsch's words. On p. 397 f., for example, he says: "Da nun aber dieses sogar von Personen weiblichen Geschlechts gebrauchte feminine, אֱלֹהִים, auch schon zur Zeit der Textredaktion als Sprachfehler galt (denn es ist ausserhalb des Pentateuchs unerhört und in dem Samaritanischen hebraischen Pentateuch ist es durchweg beseitigt), so liegt der Textredaktion die Voraussetzung unter, dass in der Sprache der Mosaischen Zeit, obgleich sie ein für das Femininum ausgeprägtes אֱלֹהִים besass, doch der doppelgeschlechtige Gebrauch das אֱלֹהִים vorgeherrscht und die Genusunterscheidung sich auf der untersten Stufe der Entwicklung befunden habe." Cf. also König, *De Criticæ Sacrae Argumento e Linguae Legibus Repetito* (Leipz. 1879), p. 27.

(10) It is a serious objection to the chronology of the documents as assigned by Graf and his successors, from the point of view of the criticism they represent, that the Jehovist document, containing an account of the fall of man and the earliest promise of his recovery, not only logically, but especially theologically, considered the most important of the Pentateuch records, is placed at the beginning of a millennial development. Too early, as they would hold, for a protevangelium, it certainly is too coherent and purposeful for a myth.

A similar inconsistency mars the alleged development in other respects. From the time of Samuel and the earlier prophets, for example, there is held to be a rapid deterioration from a state of high spirituality to the baldest ceremonialism. But this is as much opposed to the principle that the religion of Israel is a natural growth as it is to the actual history of the period.¹

(11) The hypothesis into which those of De Wette and Hupfeld have bloomed, to say nothing of its earlier phases, is based largely on a series of *petitio principii*. It is obliged to assume at the outset the impossibility of much its opponents regard as vital: as, for example, the historical credibility of the Pentateuch, particularly on its supernatural side. To the books that bear witness against it, it assigns a novel position which insures their silence, or it renders their evidence nugatory by charges of interpolation and revision. Proof texts play a less prominent part in its programme

¹ Weddell's remarks in the *Old Testament Student* for June, 1884, p. 402, have in view much the same fallacy: "Accepting the rationalistic hypothesis of the New Criticism, Israel was either a religious development, an evolution; or it was a religious decadence, a failure. If it was a development up from low beginnings, then Moses is one difficulty. We cannot account for him. If it was a national declension and failure, then what shall we do with Christ and his words. . . . Our Bible lies before us. What do we find therein? Covenant, law, Gospel; priest, prophet, Messiah. These stand in reciprocal relation. That relationship is not counter-destructive."

than textual corruptions. Its master of ceremonies throughout is the "Redactor."

What Dillmann said of the position of Wellhausen to the effect that each of the three leading documents of the Pentateuch had passed through several editions before being united to its companion documents, that it was an "hypothesis of perplexity," is¹ no less true of the scheme as a whole.

(12) It is charged upon the advocates of the common historical belief that their premise of a divine revelation, accredited by prophecy and miracle, leaves them no option. The same may fairly be retorted against those who substitute for it the fixed premise of a simply natural development. Its defenders are no longer free. Their subsequent course of reasoning can only be regarded as predetermined and compulsory.

(13) But a theory which finds itself forced by exigencies peculiar to itself to deny that written laws came from Moses, that any considerable portion of the Psalter is Davidic, that the earlier prophets authoritatively rebuked idol worship, that there are allusions to the ceremonial law as such in the historical books, is, on its face, radically at fault and unworthy of our confidence.

(14) The uncertainty which the methods of criticism now under review have already brought, and are calculated to bring, upon the vital questions of revelation, inspiration, and the Old Testament religion generally, with which the religion of the New Testament centring in the teaching, death, and resurrection of Jesus Christ is inseparably connected, can only be regarded by reflecting Christian men as a proof of their falla-

¹ *Die Bücher Exodus u. Leviticus* (Leipz. 1880), p. viii.: "Mit einem Q¹ Q² Q³, J¹ J² J³, E¹ E² E³, vermag ich nichts anzufangen und kann darin nur Verlegenheits-hypothesen sehen."

ciousness. To hold one's faith in suspense until trustworthy results are reached in this way is to be without the benefit of necessary religious guidance in this life.

(15) The Samaritan Pentateuch, agreeing substantially with that of the Jews, and not to be dated much later than Nehemiah's time, is at once a tangible and an insuperable obstacle to a theory that would refer the compilation and introduction of the Hexateuch to this same period of conflict and perverse antipathies.¹

(16) It is still too early to decide what will be the final outcome of Egyptian and Assyrian discoveries in their bearing on the composition of the Pentateuch. The parallels in the latter tongue to the history in Genesis, though some centuries older in their present form than the Books of Nehemiah and Ezra, make no pretence to being contemporaneous records. They are clearly copies, and like extant manuscripts of the New Testament are valid, independent witnesses for a period long anterior to themselves. So much, accordingly, may be safely inferred from the testimony of the monuments: that not a little of the material contained in the early part of Genesis, including narratives of both the leading documents, was in circulation long before the time of Moses, and not simply as traditional germs, but in detailed form, in the biblical order and with its blending of supposed different accounts.²

¹ It is not necessary to suppose that the Samaritan recension is of earlier date than the exile; although it is impossible to prove that it is not. It might be even conceded that the Samaritans took it bodily from the copy that began to circulate at Jerusalem after the return from the exile. But the fact that it is the *Pentateuch* and not the *Hexateuch*, and that the history of Joshua was subsequently current among them in another form, is quite sufficient to show that, already, at this time, the "Law of Moses" had attained to at least semi-canonical rank by itself and was invested with a peculiar sanctity.

² Lenormant thinks the Chaldaean narrative of the deluge is not less than thirty-five hundred years old (*The Beginnings of History*, p. 392). Contrary to the view of Bickell (*Zeitschrift für Katholische Theologie*, 1877, pp. 129-131) and Abbé Vigouroux (*La Bible et les découvertes modernes*, 2d ed. i. pp. 165, 190, 251-254), however, he maintains that the Chaldaean record confirms "in a decisive manner the distinction

LIST OF PASSAGES CLAIMED BY WELLHAUSEN TO BELONG TO THE "PRIESTS' CODE":—

Genesis i.-ii. 4^a; v. (ex. 29); vi. 9-22; vii. 11-viii. 5 (ex. vii. 12, 16^c, 17, 22, 23, viii. 2^b), 13, 19; ix. 1-17, 28, 29; x. 1-7, 20, 22, 23, 31, 32; xi. 10-32 (ex. 29); xii. 4^b, 5; xiii. 6, 11^b, 12; xvi. 3, 15, 16; xvii.; xix. 29; xxi. 2^b-5; xxiii.; xxv. 7-17 (ex. 11^b), 19, 20, 26^c; xxvi. 34, 35; xxvii. 46-xxviii. 9; xxix. 24, 28^b, 29 (?); xxxi. 18 (in part); xxxv. 9-15 (vs. 9 impure), 22^c-29; xxxvi. 6-8, 40-43; xxxvii. 1, 2 (partly); xlv. 6, 7, 8-27 (?); xlvii. 5-11 (ex. 6^b), 27^b, 28; xlviii. 3-7; xlix. 28 (?), 29-33; l. 12, 13.

Exodus i. 1, 5, 7 (in part), 13, 14 (partly); ii. 23 (in part), 24, 25; vi. 2-vii. 13, 19, 20^a, 21^c, 22, 23; viii. 1-3, 11^b-15; ix. 8-12; xi. 9, 10 (certain expressions); xii. 1-21, 28, 37^a, 40, 41, 43-51; xiii. 1, 2, 20; xiv. 1, 2, 4 (partly), 8^b, 9 (partly), 10, 15 (partly), 28 (?); xvi. 1-3, 9-13^a, 16^b-18^a, 22-26, 31-34, 35^a; xvii. 1 (ex. last clause); xix. 1, 2^a; xxiv. 15^b-18^a; xxv. 1-xxx. 17, 18 (Elohistic but doubtful); xxxiv. 29-32, 33-35 (? "ein apokryphisches Anhängsel"); xxxv.-xl.

Leviticus (including the unique collection xvii.-xxvii.).

Numbers i. 1-x. 28; xiii. 1-17^a, 21, 25, 26 (mostly), 32 (partly); xiv. 1, 2 (fragments of them), 5-7, 10, 26, 27, 28 (last two in doubt), 34-36; xv.; xvi. 1, 2 (partly), 8-11, 16-22, 35; xvii.-xx. 1^d, 2, 3^b, 6, 12, 22-29; xxi. 4^a, 10, 11 (all doubtfully); xxv. 6-xxx. 16, 17 (partly), 18, 19, 24, 28-33; xxxiii.-xxxvi. (ex. xxxiii. 50-56, "lassen ein fremdes Element in Q erkennen").

between the two accounts, Elohist and Jehovist, cast together by the last redactor of the Pentateuch. Taking each account separately and parallelizing them, the Chaldæan narrative is found to agree with each one individually, in every step of its course, and not with the result of their union." But if the Chaldæan inscription agree with each one individually, it certainly proves (1) the contemporaneousness of both the accounts in Genesis at the time when the Chaldæan record was made. And (2) it shows, conclusively, that if we have two accounts of the deluge combined in Genesis, they may have been combined as far back as the time of Abraham, since we have an example from about that period of the story as thus put together in the Chaldæan language. Lenormant affirms that the Chaldæan account agrees with the Jehovist and Elohist, respectively, but not with the result of their union. Does he mean that it does not harmonize the alleged discrepancies between the two? But suppose there are no such discrepancies. It is enough that it gives in one continuous narrative what our critics separate in Genesis into two distinct narratives. For example, if it agree with the Jehovist document in the account it gives of the occasion for the flood (Gen. vi. 5, 8), it agrees with the Elohist equally in assigning dimensions to the ark (Gen. vi. 15). It makes its Hasisatra sacrifice after the flood is over as the Jehovist alone makes Noah (Gen. viii. 20), and it shows how its hero was subsequently blessed of the gods as alone the Elohist relates that Noah was blessed of Elohim (Gen. ix. 1-11).

Deuteronomy xxxii. 48-52 (compares with Num. xxvii. 12-23); xxxiv. 1^a, 7^a (?), 8, 9.

Joshua iv. 19 ("whether a fragment of a once complete narrative very questionable"); v. 10-12; ix. 15^c, 17-21; xiii. 15; xiv. 5 (including xviii. 1, said to belong before xiv. 1); xv. (except 13-19 and some others); xvi. 4-8; xvii. 1-4, 7, 9 (partly); xviii. 11-25; xix. (ex. 47, 49, 50, and possibly more, together with enumeration of the cities); xx. (with additions); xxi. 1-42; xxii. 9-34.¹

¹ Cf. *Jahrbücher für deutsche Theologie*, 1876, Band xxi. 392-450, 531-602. For further explanation of the supposed relation of PC to the documents with which it is associated see the beginning of the next paper. It did not seem needful in the present work to set forth in detail the textual contents of JE and D. For the purposes of our argument they can be inferred with sufficient accuracy by subtracting, in accordance with the data elsewhere given, those of PC from the text of the Bible as we now have it.

III.

THE PROPOSED ANALYSIS OF THE LAW TESTED IN ITS LEADING PRINCIPLES.

THE Hexateuch, as analyzed by Wellhausen and the class of critics he represents, may be formulated as follows: JE + D + HG + PC (Q) + R. This formula will be found convenient for reference, as well as to present to the eye the relative order of the codes according to this system.

At the risk of repetition, it may be well to explain here, somewhat more in detail, this analysis.

The letters JE stand severally for a Jehovist and an Elohist document, the former beginning at Genesis ii. 4²; the latter at Genesis xx. These are claimed to be the oldest documents of the Bible; but the question of their relative age is not specially mooted. The germ of J is the so-called Book of the Covenant (Exodus xx.-xxiii., xxxiv.), though, with this exception, it is in the main an historical work. It arose, it is said, in the period of the earlier Hebrew kings and prophets. E is a similar historical work which, after circulating like its companion document, separately for a time,—according to Wellhausen each passed through three editions in this separate form,—was united to J by the Jehovist, who also revised and edited to some extent. D represents the legislative portions of Deuteronomy, originating in the eighteenth year of King Josiah (B.C. 621), the chapters preliminary and following being added at

a considerably later period. HG (that is, *Heiligkeitsgesetz*, law of holiness) is used for chapters xvii.—xxvi. of Leviticus, which were composed, it is maintained, at about the time of Ezekiel, although not by him. Q (*quatuor foederum liber*) is the great historical and legislative work beginning the Bible, and like E peculiar in its predominant use of Elohim as a name for God, and embracing very nearly one half of the entire Hexateuch. PC is the symbol for “Priests’ Code,” the name given to Q after receiving, from time to time, the various additions made to it, up to the period of its completion subsequent to the exile. The letter R stands for Redactor, the person who combined JE and D with PC. He is assumed to have had the style of the document last named, and to have done his work wholly in its spirit. The Hexateuch, having thus been brought essentially to the form in which it is now found, was published and introduced by Ezra (B.C. 444).

Each of these letters or combination of letters, it will be seen,—except the last,—represents a different stage of the legislation; JE having for its nucleus the Book of the Covenant, which is followed by the Deuteronomic code, and that in succession by Leviticus xvii.—xxvi., and the remaining priestly legislation of the middle books of the Pentateuch.

The method adopted by Wellhausen to prove that these collections of laws do actually represent different so-called stratifications, which took form in the widely separated periods indicated in our note, is twofold. First, he endeavors to show that, when compared, there is evidence of a marked development in these several parts of the legislation themselves in the direction named: that is, from JE toward PC. Second, he calls

attention to the impression left by the laws on the historical books of the Old Testament, — not excepting the Pentateuch and the Book of Joshua, — and claims that the history most readily adapts itself to such a theory of the post-Mosaic development of the codes. Under the first head five particulars are specially dwelt upon: (1) the place of worship; (2) the sacrifices; (3) the feasts; (4) the priests and Levites; (5) the provision made for the support of priests and Levites.

The object of the present paper will be to discover, if possible, what fair conclusion may be drawn from an examination and comparison of these several collections of laws on the points named. Is such a theory of development as is proposed a necessary or legitimate outcome of a really candid and critical investigation? Adopting Wellhausen's order, let us consider the attitude of these laws as it respects

(1) *The Place of Worship*. — The position here assumed is that there are three successive steps in the growth of the idea and practice among the Israelites of worshiping at one central sanctuary, and that these three steps are distinctly marked off in three principal codes of the Pentateuch. In JE, for example, a plurality of altars, it is alleged, is freely permitted. In D, however, which represents the point of view of King Josiah who struck "the first heavy blow" against this practice, unity of worship is everywhere insisted on. While in PC such unity of worship is presupposed as a thing of the past, and by means of the fiction of the tabernacle referred to the very earliest times. This in brief is the theory.

As to the question how it fits the legislation, Wellhausen, it is noticeable, instead of coming directly to the point, devotes a dozen pages to a summary of the

teachings of the historical books on the subject. By giving to exceptions which he there finds the force of established rules, misapprehending and misapplying some plain statements of fact, and wholly setting aside the testimony of the author of the Books of Kings, — with whom he acknowledges himself to be in open conflict, — this critic is able to affirm that this was “the actual course of the centralization of the cultus; one can distinguish these three stages.”¹ And it is only after such a manipulation of the history, in which Wellhausen is able to find, previous to the building of Solomon’s temple, no trace of a central sanctuary, that he makes his appeal to the Pentateuch legislation.

What, now, is the bearing of this legislation on the subject before us? Does it, in itself considered, justify or encourage the hypothesis of an extended process of development from the custom of many contemporaneous altars to the one sanctuary? After a reasonably

¹ *Geschichte*, i. p. 29. It can only be regarded, for example, as a serious misapprehension of facts when (*Geschichte*, i. p. 18) in citing instances of extemporized places of worship he refers to the conduct of Saul as recorded in 1 Sam. xiv. 33-36 (Hebrew text as throughout) as an instructive one of the kind. There is not the slightest indication in the text that the stone on which the people slew the captured cattle was regarded by Saul as an altar for sacrifice; or that the writer of the book referred to it in the words which this critic puts into his mouth: “That is the first altar which Saul had built to God.”

Hoffmann (*Magazin für die Wissenschaft des Judenthums*, 1879, p. 9 f.), after calling attention to the fact that as well the Septuagint as the Syriac version support the Hebrew text, remarks: “Danach wird also der grosse Stein, auf dem das Volk geschlachtet, keineswegs vom Berichterstatter für einen Altar gehalten, sondern nachdem das Volk bereits das Vieh geschlachtet, baute Saul, wahrscheinlich zum Andenken an den errungenen Sieg (vgl. Exod. 17. 15), daselbst einen Altar. Es wäre auch kurios, wenn der Berichterstatter vom dem *Steine*, den *das Volk zu Saul* hingewälzt (v. 33) behaupten wollte: dies sei der erste *Altar*, den Saul gebaut!! Die Stelle beweist nun wieder das Gegentheil von dem, was sie beweisen sollte. Saul ist nur darob entrüstet, das Volk *zur Erde* geschlachtet und *mit* dem Blute oder *über* dem Blute gegessen, und befiehlt, dass Alle neben ihm auf einem grossen *Steine* schlachten.”

Cf. also Sime, *Kingdom of All Is.*, p. 72.

Of the author of the Books of Kings Wellhausen says (*ibid.* pp. 20, 21): “Aber diese Betrachtungsweise des Bedeutungs des Königthums für die Geschichte des Cultus ist nicht die des Verfassers der Königsbücher. . . . Diese Auffassung nun ist ungeschichtlich und überträgt die Bedeutung, die der Tempel kurz vor dem Exil in Juda erlangt hat, in die Zeit und in die Absicht seiner Gründung.”

careful examination one is forced to reply with a decided negative. He will find, on the contrary, each one of the codes not only implying unity of worship, but even requiring it; and that no part of the legislation of the Pentateuch gives the least color to any other practice. Such a scholar as Delitzsch cannot have overlooked essential facts, and this is the conclusion also to which he has come: "In truth, the Deuteronomic demand for unity of the cultus is no novelty, but a demand of the whole Torah in all its constituent parts."¹

The position taken by our critics may be successfully assailed, and with almost equal force, from two quarters. It is not true that JE permits a contemporaneous plurality of altars; it is not true that PC presupposes unity of worship as something already established in the history of Israel. If the several codes, as here divided and adjusted, represent a growth at all in the matter, — which we do not believe, — it is in D, and not in PC, that we find the climax. In nearly a score of instances, within half that number of chapters, attention is called to the topic, and a special emphasis is given by a repetition of the same peculiar form of words (Deut. xii. 5, *et passim*). And what could be more fitting in a document professedly looking backward on more than a generation of transgression and lawlessness covering in part this very ground (Deut. xii. 8), and looking forward to an immediate transition from a life in camp to the conquest and occupation of the promised land?

As it concerns PC, so far is it from presupposing, as is affirmed, a central place of worship as something long established, it makes scarcely any allusion to

¹ *Zeitschrift für kirchliche Wissenschaft*, etc. 1880, p. 562.

a place of worship in this particular aspect of the matter; and as it relates to the holy land, with which it is supposed this code had alone to do, it wholly ignores the subject. Even in its law concerning the Passover, where, if anywhere, it might have been expected that this point would be emphasized, it is given no observable prominence. The tabernacle itself, about which all this form of the legislation may be said to gather, has for its direct object in no sense the furnishing of a central point for sacrifice. Its first object, rather, as its name "tent of meeting" imports, was to provide a place for God to meet his people. It is true that also in this part of the Mosaic laws all are expected, under penalty of the loss of citizenship, to bring their sacrifices to this "tent of meeting" (Lev. xvii. 8, 9).¹ As long as the wilderness life continued, this was the only natural and warrantable course for a people who, instead, of the many gods of the nations, had one Lord (Deut. vi. 4). But iteration and emphasis on this point was left for a sufficient reason, as we have seen, to Deuteronomy. Whatever culminating point there may be, it will be found there.

But does not the tabernacle, on the possible hypothesis that in its fundamental conception it is a product of the post-exilian period, whether one regard it as a tent of meeting or a place for sacrifice (that is, as a sanctuary from the divine or the human side), if it be transferred

¹ Kittel (*Theologische Studien aus Württemberg*, 1881, pp. 41, 42) has pointed out the fact that this very passage is evidence against the position that in PC unity of worship is altogether presupposed; and he cites Wellhausen himself as saying (*Geschichte*, i. p. 389), "Die örtliche Einheit des Gottesdienstes wird hier noch gefordert, nicht vorausgesetzt." It is true that he considers the passage as one that found its way into PC through revision; but this postpones the difficulty without solving it. Why should a reviser, working in the spirit of the document he is revising, have put in such an inharmonious sentiment? Kittel has also adduced the rebellion of Korah (Num. xvi. 8-11) as further evidence, from whatever point of view it may be regarded, that PC is far enough from having to do simply with matters of worship already brought to a conclusion (l. c. p. 39).

by its fabricators to the Mosaic age, in the nature of the case presuppose on their part a centralization of the cultus in their own time? By no means. The most that it could show, supposing it to represent centralization of worship, would be that they wished to have it understood that this was the form of worship which prevailed in the far past. And we can have no logical claim even to that inference. As I have already shown in the introductory paper, on the supposition of a pure invention one has nothing substantial to build upon. "Ex nihilo nihil fit." These facile inventors may have had a dozen reasons for their course unknown to us. It is only by showing from wholly independent and reliable sources what motives must have influenced them, that we have any right to speak with assurance of such motives.

How is it then with JE? There is but a single passage in its code on which much reliance is placed to show its position in this matter (Ex. xx. 24), and it reads as follows: "An altar of earth thou shalt make unto me, and shalt sacrifice thereon thy burnt-offerings and thy peace-offerings, thy sheep, and thine oxen: in every place¹ where I record my name I will come unto thee,

¹ *Köl* with the article undoubtedly conveys the idea of totality, but as far as the real sense here is concerned it makes no difference whether this phrase be rendered, with Dillmann (*Com., in loc.*), Bunsen's *Bibelwerk*, and Wellhausen (*Geschichte*, i. p. 30), "in every place," or with our common English version, "in all places." The meaning doubtless is "in that place, wherever it be," where God should cause his name to be remembered, there he would receive and own the offerings of his people. There is a similar collocation of words at Gen. xx. 13. The really important part of the verse, as I have said above, lies in the words "where I record my name," or, "cause my name to be remembered." It is of interest that the Targums give this clause here the sense of "cause my name to dwell," that is, they apparently identify the place with the tabernacle (cf. Ex. xxiv. 16; xxv. 8; xxix. 46; Num. ix. 17; Deut. xii. 11, *et passim*). The Samaritan Pentateuch, on the other hand, read, though probably as a correction, for "in every place," "in the place," making the matter still more definite. The objection of Wellhausen to the view that the tabernacle is referred to is that the altar here described is not the altar of the tabernacle. Nor is the tabernacle yet in existence, it may be replied; but when it came into existence it came under this law and *included this altar*. The objections

and I will bless thee." And it may safely be submitted to any one, without discussion, whether this passage, taken by itself, encourages sacrificing at many altars at one and the same time, or gives to every Israelite discretionary powers to offer his sacrifices when and where he will?

The vital point of the verse, which has been much obscured by making an issue on the phrase "in every place," is contained in the words "where I shall cause my name to be remembered." This expression, while not positively excluding the possibility that there might be more than one authorized place of worship at the same time, can by no means be cited as giving legislative authority for the establishment of a multitude of contemporaneous altars. Such a thought must be first read into the verse, in order to be deduced from it. And it cannot be denied that it might with at least equal justice, in harmony with the common and traditional view, be understood as implying that in the lapse of time the place of worship would be often changed, but that the presence and blessing of God would make any place sacred for this purpose.

That this is, in fact, the real meaning of the words may be amply proved, from a variety of considerations.

which Dillmann (*ibid.*) brings against this view, while acknowledging it to be the ordinary one, are far from convincing. The most important of them, that since Jehovah was understood to dwell in the tabernacle, he could not properly be spoken of as coming to it, is sufficiently answered by a passage which he himself cites (2 Sam. vii. 6 f.), where God is represented as saying, "I have not dwelt in a house . . . even unto this day, but have walked in a tent and in a tabernacle." And in the following verse the places are spoken of in which he had walked with Israel. Hence the meaning in our passage of the "every place" where he should cause his name to be remembered is such places as he should come to — not apart from, but in connection with, the tabernacle. One's confidence in the view that the passage at least refers to one central, well-known altar, and not to many contemporaneous ones will not be weakened by the fact that it is held, among others, by such scholars as Hoffmann (*Magazin für die Wissenschaft des Judenthums*, 1879, pp. 17, 18), Franz Delitzsch (l. c. pp. 562, 563), Strack (in Herzog's *Encyk. s.v.* "Pentateuch"), Bredenkamp (*Gesetz u. Propheten*, pp. 129-139), and Riehm (*Gesetzgebung Moses im Lande Moab*, p. 25 f.).

First, it would be remarkable, if a plurality of altars were meant, that the singular number is used, and that we do not find here, or anywhere else in this document, the expression "altars of God," although the author is familiar enough with the many altars of the heathen (Ex. xxxiv. 13). The usage corresponds, in fact, to the fundamental conception of the Old Testament religion as everywhere strongly monotheistic, as over against a radical tendency in another direction.

Then, according to Wellhausen, JE represents a period of Israelitish history so early that the idea of centralizing the worship had not yet found its way into the cultus; and this opinion he thinks is confirmed by our passage. But suppose that in this very document the precise contrary appears, shall not that fact modify one's views of this verse? Such is really the case. Not only is the matter of centralizing worship recognized, but enjoined by statute. Others have already pointed out that the offering of Abraham on the distant Moriah — a narrative assigned by our critics to this earliest document (E²) — was an evident foreshadowing of the future place of Israelitish worship.¹ And does not the Ark of the Covenant — that is, the depository of the first covenant made with Israel, including the decalogue, and so in conception indissolubly bound to the code of JE — point most conclusively in the same direction?

But I have said that the matter was even fixed by statute. How otherwise can we interpret the injunction to Israel (Ex. xxiii. 14 ff.; xxxiv. 23) that three times in the year, at the great annual feasts, all males shall appear before the Lord? It is not possible that the point of view of such a command should be that of

¹ Cf. Delitzsch in Riehm's *Handwörterbuch*, s.v. "Opfer."

a plurality of altars. They are excluded by the very terms employed in it. Besides, it should not be overlooked that the theory of our critics touching JE brings that document into direct antagonism with D. The former would thus establish by law what the latter emphatically prohibits. And, so far from attempting to conceal such divergence, pains are taken rather by our critics to display it, as furthering the view of their separate origin. But whenever they originated, it is unquestionable that D sustains the most intimate relations to JE, largely borrowing from it both the form and substance of its entire code. And no one is more ready to acknowledge this than our critics themselves.¹ D even quotes in its additions an apposite part of the very passage we are now considering (Ex. xx. 25 ; cf. Deut. xxvii. 5, 6). How unlikely, then, would be the supposed diversity on a point of so much importance as that of the place of worship. Greater fulness and explicitness in this, as in other matters, is indeed called for in D ; but flat contradictions or essential change of attitude are excluded by the very circumstances of the case.

Nöldeke, also, has pointed out how impossible is the theory that makes the unity of the cultus begin with D and with King Josiah (B.C. 621). "If Hezekiah [c. B.C. 726] already to a tolerable degree had carried out this unity in Judah, the effort toward it must have been quite old ; for one cannot so easily have made up his mind to suppress violently old and sacred customs if the theory had not long since demanded it."²

(2) *The Offerings*. — Wellhausen introduces his chapter on the offerings with the remark that, as among the ancients generally, so among the Hebrews, the offering

¹ Cf. W. Robertson Smith, *The Old Testament*, etc. p. 431.

² *Untersuchung zur Kritik d. Alt. Test.* p. 127 f.

was the chief factor in their cultus ; and that, as already shown in the matter of the place of worship, so it might be regarded as probable also here that one would find a historic development whose different stages are reflected in the Pentateuch. He intimates, however, that the results in the present case may not be as satisfactory as could be desired, owing to the fragmentary nature of the documents. Still, judging from the number of instances brought forward in proof of such development, and the apparent confidence with which they are urged, this modest beginning can be regarded as meaning little more than the polite bow before the address.

In examining these further supposed evidences of growth in the Pentateuch, it is to be carefully borne in mind that it is not needful for one holding the ordinary view to show that this alleged evidence does not exist, or even that it might not be convincing, provided that certain necessary premises of Wellhausen and his co-laborers respecting the several documents were to be admitted ; but only that no such evidence, if carefully weighed, seriously militates against the commonly accepted position. The remark of Professor Curtiss¹ on the difficulty of meeting our critics on their own terms derives its force, as he has shown, entirely from the peculiar difficulty of the terms they impose. It is really saying, "Let me have the premises, and you shall admit my conclusion." And if, for the time being, we adopt as a working-basis these premises to test the correctness of results derived from them, it is by no means to be taken as an abandonment of positions hitherto held.

The more important specifications of Wellhausen

¹ *Current Discussions*, etc. 1883, p. 35.

under the present head may be arranged as follows: According to JE the practice of sacrificing sprung up before the time of Moses; according to PC, it was introduced by him. Both JE and D represent the offerings simply as festive meals; PC makes them include, to a greater or less extent, the idea of atonement. That is to say, the earlier documents know in general only of the two kinds of offering, the burnt and peace offering; the "Priests' Code," while specifying various details of the other offerings, adds to the list the sin and trespass offering, of which, it is affirmed, the Old Testament, previous to the time of Ezekiel, knows nothing. The latest code differs, further, in a variety of minute particulars, and in general, as over against the *to whom* of JE, insists on the *when*, the *where*, the *through whom*, and especially on the *how*, of the sacrifices. By means of the gradual centralization of the cultus at Jerusalem, this critic would have us understand, in short, that the early and natural connection of sacrifices with the ordinary life was destroyed, and they wholly lost their original character.

Taking up, now, these general positions, and beginning with the first particular mentioned, it may well be asked if it be a quite fair statement of the case to say that, while JE represents the custom of sacrificing as springing up before Moses, PC makes it begin with him? If it be meant, as we suppose, that PC, in failing to speak of sacrificing as practised before the time of Moses, would reflect unfavorably on its companion document which gives instances of it, then we must characterize it as a wholly gratuitous assumption. There is nothing whatever in the letter or spirit of the documents to encourage, or even suggest, it. Indeed,

what could be more improbable than such an omission for this reason, on the part of those to whom the contents of JE could not have been unknown? Or even, if that were not meant, but only that the one document, because of an independent point of view, begins the treatment of the subject with Moses, while the other begins it with Cain and Abel for the same reason,—then we might well ask, in view of the acknowledged fragmentary nature of the documents, what of it? And still more forcibly, on the basis of the ordinary view, which would find no inconsistency in the circumstance that one part of the same work takes up and develops a subject introduced in another,—what of it?

Besides, has not the difference that is alleged to exist between the documents in this respect been, to say the least, somewhat overdrawn? So it appears to us. The one represented by JE cannot be said to lay any stress whatever on the matter of sacrificing. It is something made wholly incidental to the history. If there be a divergence, it is reduced to a minimum. JE never introduces, for example, the leading patriarchs as accustomed to sacrifice. Altars, it is true, are mentioned in connection with them, but mostly on occasions of simple prayer.¹

Moreover, were the difference charged a matter of fact, there would be many ways of explaining, even from our critics' own point of view, more reasonable than the one adopted. It might be supposed, as already intimated, that the extant patriarchal document actually contained only the few instances of worship by sacrifice found in JE. Must PC then repeat these, or formally recognize them, in order to give such an

¹ Cf. Delitzsch, *s.v.* "Opfer," in Riehm's *Handwörterbuch*.

appearance of harmony that no one could possibly doubt it? Or it might be supposed that the contents of PC were designed in this respect to supplement what has been aptly and harmoniously introduced by JE. Or, still again, the two documents may have been left in this somewhat abrupt attitude, as over against one another, in order to distinguish between two really different, though conterminous, periods in the history of sacrifice: the first marking the fact that it was the spontaneous product of an inward need of men; the second, that it had been taken up, like some other old-time usages, by the Mosaic legislation, given the form and stamped with the spirit of the religion of Jehovah. What, indeed, could be more in harmony than this with the general position of our critics on the matter of development? Any one of these suppositions would be quite sufficient to account for the line of demarcation separating JE and PC as respects the matter of sacrifice, supposing it to exist; and they would be far more reasonable and probable than that of an intentional and invidious omission on the part of the "Priests' Code" or of an omission implying even a difference of literary plan.

But, as a matter of fact, we are prepared to go further and deny that, otherwise than in the imagination of the critics, the distinction between the documents predicated exists. Does PC, for example, really represent that the custom of sacrificing is exclusively of Mosaic origin? The contrary can certainly be maintained. It will be allowed to cite here the code of laws represented by HG (Lev. xvii.-xxvi.), which, originating, as it is held, during the exile, should have a solidarity of interest in this respect with PC. At Leviticus xvii. 5 a custom of sacrificing in the open

fields is referred to in the way of condemnation, and a direct Mosaic law given to prohibit it in future. Does not this presuppose a usage of sacrificing that was pre-Mosaic? Besides PC itself, as Hoffmann¹ has shown, discriminates between those forms of sacrifice mentioned in JE and such as it has introduced for the first time. In the latter case, the occasions calling them forth are carefully described; in the former, this is omitted, apparently as something already understood, and so unnecessary. In the same direction, too, points the circumstance that a number of technical terms seem to have come over from the pre-Mosaic usage in sacrificing, and still to have held their place, side by side with the Mosaic, even when precisely similar things are meant.

Other special points of difference alleged to exist between JE and PC will require less attention. It is claimed, for instance, that PC first introduces the sin and trespass offering with their idea of atonement, and that the late origin of this document may accordingly be inferred, when it is considered that the earliest appearance of these offerings elsewhere is in the prophecy of Ezekiel. That this form of offering, we answer, as afterward developed in the Mosaic legislation and under the technical name of sin-offering, was common in the patriarchal period, no one would care to affirm. That, however, the original burnt-offering included it in its fundamental conception, there can be no just doubt. As it concerns the time of its introduction as technically a sin-offering, it is clear that Hosea, near the beginning of the eighth century B.C., mentions it as such, and that the author of Isaiah liii. 10 alludes to it, and that it is introduced as something well known in the fortieth

¹ *Magazin für die Wissenschaft des Judenthums*, 1879, p. 90 ff.

psalm (vs. 7) — a psalm whose superscription ascribes it to David, and whose composition neither Hitzig nor Ewald ventures to date after about the sixth century B.C. These instances are quite enough to disprove the sweeping assertion of Wellhausen¹ respecting the date of the sin-offering, — not to mention 2 Kings xii. 16, where “the trespass-money and sin-money” most naturally refer to that which was voluntarily handed by the people to the ministering priest on the occasion of such sacrifices.² If the reference in Kings be not to the sin-offering, but fines in money are alone meant, — the priest receiving the whole sum, — then our critics are forced to the unwelcome conclusion that PC in its legislation actually diminishes by so much the former revenue of the priests.

But our attention is invited to a number of minor particulars which are said to show most conclusively that the “Priests’ Code” is a much younger document than those with which it is associated. It is asserted, for example, that previous to Jeremiah (vi. 20) the practice of offering incense, which PC enjoins, is not alluded to in the biblical books.³ Suppose that this were true, it would be a matter of no great importance, and might be wholly ascribed to accident. The wine of the drink-offering, too, fails to find mention in the earlier prophets, excepting Joel, who is no longer allowed a place among them (but cf. Ps. xvi. 4). And the same is true of the oil, save in one place in Micah (vi. 7). The simple reason in each case was that there was no special occasion for mentioning them. But the statement is not strictly true. Isaiah (i. 13), whose prophetic activity antedated that of Jeremiah by a full century, makes a clear allusion to it; for he can

¹ *Geschichte*, i. p. 77.

² See Thenius's *Com.*, *ad loc.*

³ See Wellhausen, *ibid.* i. pp. 67-69.

mean nothing else by the "incense" of which he speaks than the incense offered with the meal-offering.

Then, it is claimed that the flour used for sacrifice in PC and the Chronicles is *fine flour*, while everywhere else *gemach*, or ordinary flour, is employed.¹ But it may well be asked what there is strange in this? The latter word is only twice introduced in such a connection elsewhere altogether (Judges vi. 19; 1 Sam. i. 24); and how can it be regarded as peculiar in the circumstances that in these cases the ordinary word for flour should be used, without qualifying it, as Abraham already does in JE (Gen. xviii.) by adding that fine flour is meant? The word for *fine flour* must have been an old Hebrew word, and might certainly have been used if found fit and convenient.

Again, it is claimed that according to PC the flour for sacrifices was preferred in a raw state, while the earlier usage, even in the case of burnt-offerings, was first to bake it.² But it is a claim that has no real documentary support. Outside of the wholly exceptional instance of Gideon's extemporized sacrifice (Judges vi. 19 f.) there is no evidence that the flour used in connection with the burnt-offering was ever baked; while in the matter of the meal-offering the practice in PC is far from uniform (Ex. xxix.; Lev. ii.; Ezek. xlvi. 14). Wellhausen was plainly misled by the account in Ezek. xlvi. 20, confounding the portion eaten by the priests with that offered to the Lord.

Of the same nature is the alleged circumstance that according to the earlier codes all flesh used for sacrifices must first be boiled, while according to PC it was to be offered raw.³ There is not a syllable *enjoining such a rule* in the earlier codes. And the entirely

¹ Wellhausen, *ibid.* p. 69; cf. however, Num. v. 15.

² Wellhausen, *ibid.* p. 71.

³ Wellhausen, *ibid.* p. 70.

abnormal action of Gideon, just alluded to, is literally the only clear example of such a practice. It is not supported by the conduct of Eli's sons in 1 Sam. ii. 13 ff., since there is no proof that it was their intention to offer on the altar boiled flesh. And it is just as little supported by a passage cited in D (Deut. xvi. 7; cf. Ex. xii. 9), as *bāshal* there means "to roast," and not "to boil" (cf. 2 Chron. xxxv. 13), the words "in water" or "in milk" being always added when it had the latter meaning. Such cases, on the contrary, as that of Manoah (Judges xiii. 19 f.) and of Solomon (1 Kings iii. 4; viii. 5) show conclusively that the earlier codes knew no such practice as that which has been imputed to them.

But does it not appear from 1 Sam. x. 3 f. that at first it was permitted to use leavened bread upon the altar, while at Lev. ii. 11 (PC) it is prohibited?¹ The loaves here spoken of were not for sacrifice, as is evident from the disposition actually made of them (vs. 4).

Can it not, at least, be said that peace-offerings were the predominant form of offerings in the ancient times, while in PC one finds them transformed into the whole burnt-offering?² Such a representation, we reply, scarcely answers to the facts (cf. Gen. viii. 20; xxii. 7; xxxi. 54; xlv. 1; Job i. 5; xlii. 8). It may be admitted that the whole burnt-offering is made prominent in the so-called "Priests' Code"; but to attempt to make out in it a special divergence in this respect from the other supposed documents would not repay the effort. Delitzsch well asks how we should know, without PC, how to discriminate between the two as altar-gifts, when David, for example, brings "burnt-offerings" and "peace-offerings" (2 Sam. xxiv. 25) at

¹ *Ibid.* p. 77.

² *Ibid.* pp. 71-74.

the threshing-floor of Arauna? "And is not the 'fat pieces of the thank-offering' (1 Kings viii. 64) the very expression which is furnished by the Elohist ritual (Lev. vi. 5)?" ¹

What has already been said is more than sufficient to show how unsafe it is to draw from the circumstances of mere diversity in characteristics any inference concerning the late origin of the so-called "Priests' Code" as related to its associated documents. Undoubtedly, if these several parts of the Pentateuch are divided from one another and examined singly, it will be found that the one named PC does insist more than the others on the technicalities of the sacrificial ritual. But could it, in the nature of the case, well have been otherwise? D announces and carries out a special programme for itself, looking in quite another direction; while JE, having altogether so very little to present in the form of legislation, might well be excused from entering upon such details. The whole Book of the Covenant makes but five chapters, over against the main contents of the three middle books of the Pentateuch. And our critics confess that they are unable to find any traces whatever of the earlier Jehovistic work between Ex. xxxiv. and Num. x.-xxix.

Undoubtedly, too, under the influence of the Sinaitic legislation, the matter of sacrifices, as we have before said, which originally may have been an expression of spontaneous human feeling, took a special and fixed form as a divinely authorized institution for the highest ends; but there is no satisfactory evidence in this form itself that it must have originated subsequent to the time of Moses. The monuments of other contemporaneous peoples demonstrate, rather, that, so far from

¹ Cf. *s.v.* "Opfer" in Riehm's *Handwörterbuch*.

holding that the highly developed stage represented in the Mosaic ritual and its singularly full and exact terminology is evidence of a later period, we might be surprised not to find something like them there. And even if we conclude that this Mosaic code is far superior to any of its contemporaries, especially in the unity of its purpose and its elevated moral tone, that can be no reason for rejecting Mosaic authorship on the part of those who accept the Bible as a supernatural revelation. For that there are persons who are unable to bring themselves to believe in supernatural interpositions in human history is no reason why one should part with his commonsense in seeking to account for the history of Israel.

(3) *The Feasts*. — The annual feasts of the Jews, as is well known, were seven in number, of which four fell on the seventh month, and all during the first seven months of the year. Three of these were pilgrimage feasts (those italicized below), in which it was required that every male Israelite should appear with an offering before the Lord, and which, in harmony with this custom, were commonly designated *Chaggim*; while the others were known as *Môădhim*, or simply appointed gatherings. The cycle began with the *Passover*, which was followed immediately by the feast of unleavened bread; and these in succession by the *feast of weeks*, the feast of trumpets, the day of atonement, and the *feast of tabernacles*, whose last day closed the list with a solemn assembly.

It is argued, now, with respect to these feasts, by the advocates of the analysis we have been considering, that they originated in certain popular festivals celebrating the beginning and close of the agricultural year, and that the process of transformation into historical

institutions is clearly discoverable in the present Pentateuch codes. That the feasts, in part, may be based on previous usages of the people is, indeed, not only quite credible, but might be shown to be, *a priori*, probable from what we know of other Mosaic institutions. That they appear, however, in any part of the legislation of the Pentateuch in any other form than as established ecclesiastical ordinances is, we will venture to say, incapable of proof.

Take, for instance, the two associated feasts of the Passover and of unleavened bread, which, according to this theory, should be found in JE and D as the opening harvest festival. There is not a particle of evidence in these documents (cf. Ex. xxxiv. 18; Deut. xvi. 1-8) that they had any other origin or purpose than to celebrate the exodus from Egypt. That is made in both of them their sole occasion. If they had a different origin, it is carefully concealed.

Singularly enough, however, on the basis of this theory, we discover in immediate connection with the rules for these feasts as found in HG (Lev. xxiii. 4-8; cf. vs. 9-14) — a document here virtually identical with PC — our first and only allusion to a harvest ceremony. In this passage, to use the language of Wellhausen, "the special Easter rite is the presentation of a sheaf of barley."

But how can this be made to harmonize with the development hypothesis to find the root where the bloom should be; to find in a document which is alleged to have arisen in the time of Ezekiel elements one would suppose to be out of place anywhere, except in the earliest literature? Let Wellhausen, as one of its leading advocates, himself explain: "One may remind us," he says, "on the other hand, it is true, that this passage at present belongs to PC. But the col-

lection (Lev. xvii.–xxvi.), as is well known, was simply worked over and received by it; originally, however, was an independent *corpus*, which stood at the point of transition from D to PC, resembling now this and now that. And the complete justification [mark the words] for making use of Lev. xxiii. 9–22 in this connection appears in this, — that only in this way does the rite there described take on life and meaning.”¹ But the question is not concerning making use of Leviticus. It is a question why Leviticus *alone* makes use of such a ceremony if the ceremony explains the origin of the festival!

Nothing needs, however, to be added to this explanation, except, perhaps, to call attention to a subsequent remark of the same critic,² where he speaks of the same rite of Leviticus, together with that of the wave-loaves of the feast of weeks and of the booths at the feast of tabernacles — all of which things are totally ignored by the two documents claimed to be the oldest of the Pentateuch — as “petrified fragments” of the “old customs,” the faint traces which betray the real sources of the development. Indeed, as “petrified fragments” of a primitive heathenism one would suppose them to be as much out of place in PC as Druidical worship would be in St. Paul’s Cathedral.

But there is a marked divergence in the documents, it is said, also in their mode of indicating the time of celebrating the feasts; PC giving a definite numerical date, while the other two documents speak only in the most general terms of the month only. This, according to Wellhausen,³ points not only to a fixed, uniform regulation of the cultus in the former, but also to an essential change of its nature. It is true that the dates of the feasts are differently expressed, as it is claimed;

¹ *Geschichte*, i. p. 88, note.

² *Ibid.* p. 103.

³ *Ibid.* p. 104.

but it is not true that they are any the less definitely indicated in the one case than the other. The Passover, for example, according to JE, was instituted on going out of Egypt, and the particular day is assumed to be well known. In like manner, in the case of the feast of unleavened bread (Ex. xxxiv. 18), not only is the month mentioned, but it is implied that the particular date had been determined, and was well understood; the original being properly rendered, with Bunsen's *Bibelwerk*, "at the time determined on in the month Abib" (*in der bestimmten Zeit des Aehrenmonats*).

The same may be said of D. It not only ordains the celebration of the Passover on the ground of the deliverance from Egypt, but calls special attention (Deut. xvi. 3) to *the day to be observed* as that of their coming forth; it is *that* which they are to recall. So, too, the date for the observance of the feast of weeks is either assumed in the earlier documents to be well known, as in JE (Ex. xxiii. 16; xxxiv. 22), which is familiar also with both the names that are applied to it—feast of weeks and feast of harvest; or it is clearly pointed out, as in D (Deut. xvi. 9; cf. Lev. xxiii. 15, 16), by means of data which must have been sufficiently current or accessible. The reason why a different designation for the date is employed in PC may have been a desire to provide additional safeguards against the confusion that might otherwise have arisen from the unsettled state of the calendar at that period; both sun and moon years being probably in use among the Israelites already at the time of the exodus. They certainly could not have been unknown to them.¹

¹ Cf. Hoffmann, *ibid.* pp. 104, 105; Dillmann, "Ueber Kalenderwesen der Israeliten vor dem babylon. Exil.," *Monatschrift der könig. Acad. d. Wissenschaft zu Berlin*, October 27, 1881.

It is further objected to the ordinary view of the Pentateuch codes, as it respects the feasts, that in D (Deut. xvi. 4, 8) the Passover is represented as the first day of the feast of unleavened bread, while in PC it is assigned to the fourteenth day of the month, a full week being afterward devoted to the connected feast, beginning with the fifteenth. This is supposed to indicate an earlier stage of the development.

The account in Deuteronomy is, indeed, peculiar in apparently merging the observance of the Passover with that of the feast of unleavened bread. That, however, a knowledge of their true relation to one another is presupposed is evident from the distinctions already found in JE (cf. Ex. xxiii. 18; xxxiv. 18, 25), the fact that both names are discriminatingly applied (vs. 1, 16), and the manner in which the two feasts are wrought together. From vs. 4²-7 the Passover is clearly referred to in its narrower sense; while in vs. 1 the appropriate day for slaying the paschal lamb is assumed to be known and to have been properly observed. And when in vs. 4² it is said that there shall not remain over till the morning any of the flesh that was killed on the evening of the first day, it is plain that the evening of the fourteenth is meant, and not the first day of the following feast, for a variety of reasons. This language is directly borrowed from JE (Ex. xxiii. 18; xxxiv. 25; cf. also Ex. xii. 6, 10; Num. ix. 12) in its law of the Passover. It is in closest harmony with vs. 7², where permission is given, *after the celebration of the Passover*, to return to the tents—previous, that is, to the observance of the accompanying feast.

That this cannot mean the morning after the first day of unleavened bread is obvious from the fact that

such a supposition would be in direct contradiction with the following verse, which calls for a solemn closing assembly on the seventh day, as also with another requirement of this verse, that seven subsequent days, including that of the final assembly, are to be devoted to the feast of unleavened bread. And what is found in vs. 2, where sheep and cattle are spoken of as victims for the Passover feast, offers no objection to this view. The name Passover is here given to the whole series of feasts, as afterward (v. 16) the name Mazzoth is applied to it — a usage, moreover, which perpetuated itself in New Testament times (Mark xiv. 1 ; Luke xxii. 1), and is recognized by Josephus,¹ who speaks of “the festival of the unleavened bread, which is called pascha (πάσχα).” If there were any doubt on this point, it would be settled by the language of vs. 3, where the command is given to eat unleavened bread for seven days in addition to the Passover (“thereunto”), this Hebrew expression referring undoubtedly to the Passover proper, as Riehm² and Keil³ have pointed out, and having no clear sense on any other supposition.

Still further it is asserted that, while D (in agreement with 1 Kings viii. 66 ; cf. Ezek. xlv. 25) assigns seven days to the celebration of the feast of tabernacles, PC (2 Chron. vii. 9 agreeing) requires eight. But attention may be called to the brevity of treatment given the subject in JE and D. The former does not even mention the number of days at all (Ex. xxiii. 16 ; xxxiv. 22) ; and D (Deut. xvi. 13–15) devotes to the matter but three verses, to ten in Leviticus (xxiii.) and twenty-seven in Numbers (xxix.). Marti has made it appear probable that the Deuteronomic form of the law

¹ *Antiq.* xiv. 2. 2 ; xvii. 9. 3.

² *Gesetzgebung Moses im Lande Moab*, p. 52.

³ *Com.*, *in loco*.

is based on that in Leviticus,¹ and in one of these Levitical forms (vs. 42) nothing is said of an eighth day. The special object of D in calling attention to this feast, as so often, seems to have been to emphasize the unity of the place of worship. Besides, this eighth day did not, strictly speaking, belong to the feast of the tabernacles, but brought to a close the whole series of yearly feasts. And this, further, might well serve to account for the circumstance that it is not always mentioned in connection with it, either in the codes or the history.

It is worthy of notice, also, that JE and D make no allusion to two other feasts of the Jewish year, that of trumpets, and the day of atonement. But can it be justly a source of objection to the common view of the Pentateuch legislation that each one of its codes does not cover the precise ground of the others respectively? Just as little, moreover, can this fact be properly employed to support the theory of a later development in PC; since the ground of this difference may have been purely accidental.

Take, for example, the feast of the new moon or trumpets. What possible important reason can there have been, from any point of view, why notice should have been taken of it outside of PC? The nature of the feast precludes the conjecture that it is found in PC, and there alone, from dogmatic considerations. And, on the other hand, the feast of weeks, one of the great pilgrimage feasts, finding a place in all the codes, receives no notice whatever in the historical books before Chronicles (2 Chron. viii. 13). So, too, in the entire legislative portions of Deuteronomy there is no recognition of the observance of the weekly Sabbath.

¹ *Jahrbücher für prot. Theologie*, 1880, p. 349.

Could the danger of drawing important conclusions respecting the existence of laws and institutions from the presence or absence of allusion to them where we imagine it should be found be more strikingly exhibited? Because one does not find in the Epistles a full reproduction of the Gospels, shall that be a reason, in so far, for rejecting the Gospels?

The day of atonement, however, it is claimed, is in quite another category. It most naturally, on dogmatic grounds, has its origin in the technical, priestly legislation of PC; and that, too, in its latest developments subsequent to the exile. Do not codes and history alike point to this period for its actual origination?

The times of the exile and some centuries later were, indeed, peculiar in many respects. But the climax of anomalousness would be reached if it were to be supposed that a law of this nature originated then, a law which has for one of its principal objects the cleansing of the temple in every part, the temple which either still lay in ruins or existed but as a lamentable reminder of its former grandeur. Moreover, if it originated then, at what precise time did it originate? When did the spirit begin to work that finally took shape in this elaborate ritual (Lev. xvi.; xxiii. 26-32; Num. xxix. 7-11)? The Chronicler makes no allusion to its observance, and his book carries us far beyond the exile. If it did not come up until we find some mention that it was kept, then we are borne on, too, beyond the days of Ezra and Nehemiah, who cannot be so readily spared from the council that projected, in times subsequent to the exile, a scheme like this. In short, the argument from silence here overshoots its mark. The silence is unbroken in the historical books of the Old Testament. And there is no evidence of its

celebration till more than a century after the supposed introduction of PC in the year B.C. 444.

Still might we not justly expect some allusion to it in the earlier historical books if it were Mosaic? There is no more ground for demanding this than there would be for demanding express mention of it in the post-exilian literature, — especially by the Chronicler, if it had its origin at that period. That there is, in fact, no point of the Israelitish history previous to the exile reviewed in the Bible which really requires special notice of it has been sufficiently shown by able writers like Hamburger,¹ and most conclusively by Delitzsch.² The position which this law holds in PC itself has been too much overlooked. It is found in two instances in connection with the proclamation of the other feasts (Lev. xxiii.; Num. xxix.), as well as in two others, where the remaining ones are not noticed (Lev. xvi.; xxv. 9). And Delitzsch has shown³ that the whole Torah is penetrated by its spirit and formally bound to it by minute references in many passages.

(4) *The Priests and Levites.* — The hypothesis of our critics here, in harmony with their positions as already noticed, is that in the earliest periods of Israelitish history there was no distinction between priests and laymen: any one might officiate at the altar; or, if there were priests by calling, they were to be found only at the more important sanctuaries. Hence JE has nothing to say of priests. It does not put an Aaron beside Moses. In D, too, we still find no radical distinction made between priests and Levites; every Levite is eligible to the priesthood. It is only in PC that the

¹ *Real-Encyclopädie für Bibel und Talmud*, s.v.

² *Zeitschrift für Kirchliche Wissenschaft*, etc. pp. 171-183.

³ *Ibid.* p. 180 f., and in Riehm's *Handwörterbuch* s.v. "Versöhnungstag," where he says: "Uebrigens aber ist die ganze priesterliche Gesetzgebung von Beziehungen auf diesen Generalsühntag durchflochten."

separation is fully made — where, moreover, it is represented that the priests were never anything else than sons of Aaron. This document even goes so far as to put at the head of this caste of priests — contrary to the whole spirit of the Old Testament elsewhere — a high-priest of such prominence and power that the person of a theocratic king would be wholly overshadowed beside him.

It must be said, now, in looking at the documents, that the statements concerning JE are but partially correct. The Aaronic priesthood as such does not yet appear. And why should it? No one holds to its existence before the time of Moses and Aaron; and the sparse fragments of presumed Mosaic legislation found in this document leave no sufficient place for its introduction. It cannot be said that the manner of their introduction into the history when it comes does not harmonize to the fullest extent with the statements of the Pentateuch concerning the origin of the priesthood. The pure artificialty of the scheme, claimed by Wellhausen, and to be expected on his theory, does not appear.¹

That the idea of priests is not foreign to this document is clear from Gen. xlvii. 22. In Ex. xix. 22, 24, too, the presence of priests is assumed during the giving of the covenant. And from what other class is it so likely that the numerous magistrates here found were drawn (cf. Ex. xxi. 22; xxii. 8; and especially with xxi. 6 cf. Deut. xv. 17; xvii. 9; xix. 17)? So in Joshua, a passage admitted to belong to JE, we find a company of priests bearing the ark of God across the Jordan. Nor is the matter left to occasional references even here. As we have already seen, the idea of a central

¹ *Ibid.* p. 228.

sanctuary already at home in it, is inseparable from the legislation concerning the three great annual feasts. Are the feasts, indeed, any way practicable without the sanctuary, or the sanctuary without an established priesthood and a law of sacrifice?

As it concerns D, the hypothesis proposed can only be adjusted with even greater violence to the facts. It is declared, for instance, that it recognizes no distinction between priests and Levites, and support is claimed for the position from the uniform title of the former in Deuteronomy, namely, "Levitical priests." But no one will deny that this usage harmonizes admirably with the supposed descent of the priests, and as a designation is not without example in the very latest books of the Old Testament, even such as are supposed to be saturated with the spirit of PC (Jer. xxxiii. 18, 21; Isa. lxvi. 21; 2 Chron. v. 5; xxiii. 18; xxx. 27). Moreover, if we look at one of these passages in D (Deut. xviii. 1-8) we shall find that the distinction between these two classes, as a matter of fact, is fairly indicated even here. When (vs. 1) "the priests, the Levites, the whole tribe of Levi" are spoken of, why the qualifying phrase if they are understood to mean one and the same class? Again (vs. 2), it is said of these two classes, embracing the whole tribe of Levi, that the Lord is their inheritance, as he had said unto them. I have already shown elsewhere that this is a direct citation of Num. xviii. 20, 23, and it is to be particularly noted now that the passage in this its original form is applicable, as here applied, to both priests and Levites. And it will be observed further, in this passage of Deuteronomy, that from vs. 3-5 the priest is plainly distinguished from his tribal brother the Levite, being spoken of by himself; while in vs. 6-8

the case is reversed. This is made certain by the fact that their diverse maintenance is directly referred to (with vs. 3, 4 cf. vs. 8 and Num. xviii. 21-24). And in the moving picture of a Levite, who had been engaged apparently in some other service in the land, but whose heart now yearns for the service of the central sanctuary of his people,—besides which no other is recognized in this book,—every feature of the situation, especially the command to extend sympathy and help to him, speaks of a difference in station. When it is said that he is to be permitted to serve there, such service is expressly limited to that of his brethren the Levites, like portion with whom also—understood to be established by statute—he is to have. Could all who serve at this sanctuary, or even the great proportion, be priests? It is impossible. Even if the author of Deuteronomy had made no distinction, we should be obliged to make it in our own minds.

But are not the priests in D (Deut. x. 8; cf. xxxi. 9) understood to be the proper persons to bear the ark of the covenant, while in the legislation of PC (Num. iii. 31; iv. 15; vii. 9; cf. 1 Chron. xv. 15) it is made the sole duty of the Levites? This is hardly a fair statement of the case. In the legislation of PC it is nowhere said that the priests *shall not bear the ark*. On the other hand, we do not learn from D that they always have this service to perform (Deut. xxxi. 25). The truth established alike by all phases of the legislation and by the history (see 1 Sam. vi. 15; 2 Sam. vi. 13; 1 Kings viii. 6; 2 Chron. v. 4, 5, 7) is, that while this was ordinarily made the duty of the Levites, it was also not considered out of character for the priests on special occasions to do it; nay, wholly comported with their position when, from being a task, it became for any reason a mark of distinction and honor.

It cannot be denied, however, that there is in D a marked obscuration of the distinction between priests and Levites. The name given to the former is not that which prevails in HG, — “the priests,” — and especially not that most common in PC — “the priests, the sons of Aaron,” or “Aaron and his sons,” the fact of their priestly office being understood. They are, indeed, sometimes named “priests” in Deuteronomy, but in no instance is their descent from Aaron indicated. In a majority of instances, on the other hand, their origin from Levi is emphasized (Deut. xvii. 9, 18; xviii. 1; xxi. 5; xxiv. 8; xxvii. 9; xxxi. 9). And this usage perpetuates itself to a considerable extent in the subsequent literature (Josh. iii. 3; viii. 33; Jer. xxxiii. 18, 21; Isa. lxvi. 21), even in works which in other parts show that they are well aware of the distinction (Ezek. xliii. 19; xlv. 15). How is this undeniable and most singular fact to be accounted for?

As it seems to us, the peculiar circumstances under which the Book of Deuteronomy professes to have been produced have been too much overlooked. While Aaron was still alive and stood with Moses at the head of the Israelitish community, while the tribe of Levi still remained in the wilderness and stood very much on a level with the other tribes as it respects both privileges and hardships, there could be no special occasion for making the distinction between family and tribe any less marked than it appears in the Levitical law. But on their entrance into Canaan, when the matter of conquest and the division of the land between the tribes would be uppermost, the circumstances were entirely changed. One whole tribe, not a single family only, was to be excluded from that division. How might they be expected to feel when

they actually confronted the fact? Because they were Levites, that did not make them any the less men, or any the less tenacious than others of their tribal rights. Already in the experiences of the wilderness, notwithstanding the cloud that hangs over those experiences, we have evidence that these whilom slaves of Egypt cherish the ambitions that aspire to place and power. And the history of the period of the conquest, with the centuries immediately succeeding, suffices to show that tribal jealousy was a factor that no judicious leader of Israel could afford to overlook.

This was no time, consequently, when the people were standing on the margin of the promised land, and two and a half tribes had already been apportioned their inheritance, for a man like Moses to overlook the particularly trying position of his own tribe of Levi. Was it not natural that he should seek in every way to make easier for them what was hard enough at best, to be characterized as a really sublime act of self-denial?

When, in fact, from that day to this, has a genuine service of the altar been anything else? It might be said that a mere title, the raising of their tribal name into prominence and honor could have weighed but little with them. But it is on such trifles as this that great affairs have turned in history. That the priestly class of the Israelitish people should cease to bear the title "sons of Aaron," and be hailed as "sons of Levi," and the whole tribe be lifted bodily, as it were, by the honorable positions assigned and the kindly mention everywhere made of them in the closing words of the great lawgiver of Sinai, — that could have been no trifle among a people such as came up out of Egypt, where to be a priest was to stand beside the king himself.

But a special evidence of a later period is said to be

found in the position assigned in PC to the high-priest. Wellhausen sees in this personage the climax of many centuries of development in the priesthood, and a most exaggerated climax. The figure he makes in the Pentateuch, it is claimed, is a wholly disproportionate one, and that to put him back into the age of Moses would be the grossest of anachronisms.¹ It should be observed, however, at the outset, that the figure which this critic represents as that of the high-priest, is, in no small degree, one created by his own imagination; and his way of interpreting the history may be inferred from a single example. He says of Samuel, whom he calls an Ephraimite, that he slept every night in discharge of the duties of his office beside the ark of the Lord to which, according to Lev. xvi., the high-priest was allowed to enter but once a year.

Being an Ephraimite, as should be well known, was no hindrance to one's being also a Levite (Judges. xvii. 7; cf. 1 Chron. vi. 7-13, and Curtiss's note on p. 95 of *Levitical Priests*), which Samuel in all probability was. But that he slept in the most holy place is not affirmed in the text (1 Sam. iii. 3); it says simply that he slept in "the temple of the Lord where [of course] the ark of God was."

Wellhausen assumes, further, that the title high-priest is of late origin, and seeks to create the impression that its presence in PC is as noticeable as its absence from the historical books. Yet this title is found but twice altogether in PC (Num. xxxv. 25, 28), and once in HG (Lev. xxi. 10), and the usage in the history is precisely similar, the two titles being employed interchangeably, the simpler one, however, largely preponderating even in the Books of Chronicles, Ezra, and Nehemiah.

¹ *Ibid.* p. 153 f.

It is alleged, too, that in PC the high-priest appears arrayed in royal purple and diadem, and standing at the head of a compact ecclesiastical hierocracy, which shows a total transformation of the nature of the office as set forth in Jewish history. Here again our critic's theory has sorely misled him. The *royal* purple is indicated by quite a different word from the one employed in the description of the high-priest's robe, as has been pointed out by Hoffmann, Delitzsch, and others; and the only diadem of this official was a simple turban of white, which formed the covering for his head in the earliest and latest periods alike (cf. Lev. xvi. 4; Ex. xxviii. 31; xxxix. 22).

In short, a single fact is sufficient to show how completely all historical ground fails for regarding the high-priest of PC as a post-exilian creation. It is enjoined in this document that the high-priest shall be anointed on entering upon his office, and the history corroborates the employment of the rite (Ex. xxviii. 41; xxx. 30; Lev. iv. 3, 5, 16; vii. 36; x. 7; xxi. 12). Yet this also Wellhausen¹ regards as a novelty of the exile. "He receives," he says, "on his induction into office the anointing, like a king, and is called accordingly 'the anointed high-priest.'" But if this procedure be, as is supposed, a product of this late period, how does it happen that it occurs in no single case as a usage in it? Even as early as Zechariah iii. we find the high-priest installed without ceremony. How is it possible to suppose that the subtle hierocrats of this age made something found by themselves to be unnecessary or impracticable so imposing a feature of their ritual? It is probable that one principal reason why this earlier custom was not continued after the return from

¹ *Ibid.* p. 154.

Babylon was an uncertainty as to the method of compounding the anointing oil or the proper solemnization of the rite.¹

When, in fact, we look more closely at the historic position of the priesthood, including the high-priest, as reflected in the literature of the exile, we see in how many important respects it refuses to yield us the form demanded by the code supposed to be the offspring of this very period. It is something less, but it is also something more. And it would have been more in keeping with their professed aim, if our critics—instead of questioning the prophetic books so minutely, and turning not only the infrequent utterances of the Hebrew seers on these topics, but their very silence, into proofs of the non-existence of a large part of the Pentateuch in their time—had given more attention to the Books of Ezra, Nehemiah, and the Chronicles, where, if anywhere, this strange theory should find positive support.

Why, for example, has it been overlooked that subsequent to the time of King Josiah the historical books recognize a sort of high-priest of secondary rank, of which PC knows absolutely nothing (cf. 2 Kings xxv. 18; Jer. lii. 24; 2 Chron. xxxi. 13; Neh. xi. 11). Sometimes he is called “the second priest,” and again “the ruler.” The Talmud describes his office as that of a “leader of the priests,” his ordinary business being to assist the high-priest, and in case of his disability to represent him on the day of atonement. Is it possible that an office of this character should have been overlooked in a code of the nature of PC, if it came into existence to any considerable extent at or after the time of the exile?

¹ Cf. Ex. xxx. 22-33 and Delitzsch, *Zeitschrift*, etc. p. 227.

Again, the Books of Chronicles are deemed the clearest historical mirror of the "Priests' Code." Accordingly we might expect, at least, an adumbration of its *main features*. Why, then, in so characteristic a matter as its account of the organization of the service of the Levites, do they take scarcely any account of the code (1 Chron. xvi., xviii., xxiv., xxvii.)? The whole treatment of the temple music is confined to the history, not a word in the code, excepting only what is said of the trumpets of the priests (Num. x. 1-10). To know how important a matter this service was regarded, and to what dimensions it grew, with its thousands of performers and its leaders, a Heman, an Asaph, and a Jeduthun standing alongside of David himself in the honor of a conspicuous place in the Psalter, one must refer to the Chronicler and to him alone.

Here, too, we make the discovery of new offices and titles for the Levites: "door-waiters" (1 Chron. xv. 23), "trustees" of sacred funds (Neh. xii. 44), "secretaries" in swarms (2 Chron. xxxiv. 13), the so-called "servants of the priests" in numerous classes (cf. 2 Chron. viii. 14 f.). Most of the leading kings of Judah, in fact, after Solomon's reign either renewed the innovations which he and his father had made, or introduced other changes in the arrangements of the temple to suit their times. And among the Levites who are found returning after the exile are still other classes (Ezra ii. 55, 58; viii. 20), of which the previous history gives no account. Among these one bears a name which well serves to show how wide a period actually stretches between the origin of the Levitical code and the times we are considering. In that code the Levites, as over against the priests, receive the title "Nethunim" (Num. iii. 9; viii. 16, 19; xviii. 6), while here they are termed "Nethi-

nim." How is this abrupt change in usage to be explained on the hypothesis of a common chronological origin?

A still more surprising incongruity, also, may be pointed out.¹ It is well known that the relative number of Levites returning from the captivity was very small, in the first instance but one twelfth the number of the priests; and in the second, even less. It is matter of tradition, which is fully supported by the later history,² that in order to punish this defection Ezra withdrew from them the stipulated tithe, transferring it to the priests. But if this be so, how is it that the fact is not recognized in the legislation of PC? We find the law of tithes given in D, not only in full force, but put, it may be said, in even a stronger form (Num. xviii. 21, 24), the Levites being no longer obliged to share their portion with others, but enjoying it exclusively by themselves.³

¹ Cf. Delitzsch, *s.v.* "Leviten" in Riehm's *Handwörterbuch*.

² Josephus, *Antiq.* iv. 4. 4; xx. 8. 8; Heb. vii. 5.

³ Cf. Watson, *The Law and the Prophets*, p. 84 f.: "The promotion and enforcement of God's orderly worship, and of his worship alone, the authors [of PC in the exile] seem utterly to miss . . . here. For orderly worship, a carefully arranged code of laws was necessary. The laws of the Pentateuch are anything but this. You have laws intermixed with the history, laws repeated, laws inserted, apparently as they were given by God, or as the need arose. In its lack of arrangement, it is just the book which Moses might have been supposed to write during the desert wanderings, when he had to bear the burden of the people alone. But Ezra—to take the sacerdotal legislation only, of which he is said to be the author—wanted a working code for certain definite purposes. It is strange he could not have contrived something better. When we examine his work, we find he has been more anxious to give his laws and precepts an antique form than to make them practical, working laws. He stamps the mark of the wilderness so deeply on his laws that they are often, without adaptation, unfit for use in the Promised Land. He seems to study confusion. He mixes the history which illustrates his law and the laws which enforce the teaching of his history. Considering his circumstances and his very practical purpose, we can find no excuse for him; unless, indeed, we hold that his object was to forge a book which would completely deceive, rather than a law which would really work."

"And yet Ezra is not a clumsy workman; he is a consummate artist. He is able to invent narratives which presuppose his laws, and to contrive coincidences which appear to be undesigned. Take the narrative of Korah, Dathan, and Abiram, as an instance. Here he is inventing a narrative to enforce his law by which the sons of Aaron are distinguished

(5) *Maintenance of Priests and Levites.*—It is held, also, that the codes arrange themselves in chronological order from JE to PC, as it respects the support accorded to the priests and Levites severally. Originally, it is claimed, the sacrifices were occasions for sacred meals, to which the priests, if there were any, were invited. But it was wholly a matter of courtesy, any claims they made for services being satisfied by the proprietors of the respective altars in some way which might be agreed upon. The primitive literature represented by JE reflects this state of things. But in D, already, the priesthood is found better supported, certain parts of the animal sacrificed being by statute allowed them; while in PC the acme is reached, the demand of the priesthood having become at this date something enormous. "It is incredible," says Wellhausen,¹ "all that, in the end, must be given up to them. What originally stood side by side is heaped together; what was left free and undefined is brought to measure and prescribed." Not that they really could

from the other Levites — one of the main objects of his work. As you will remember, this is said to have been the Jewish way of writing history. Now it is plain there would be no difficulty in framing a simple narrative, embodying a divine punishment on Levitical discontent. But Ezra's plan is most subtle. He joins the Reubenites and Levites in one conspiracy. There he makes one point. The Reubenites and Levites, we find, were close neighbors in the desert encampments. Better still, he joins two tribes together which might be supposed to have similar causes of discontent. The Reubenites would be jealous for that priesthood which was theirs by right of birth; the Levites would be jealous for that priesthood which had been given the whole tribe for their faithfulness at Sinai. Mark what a genius Ezra is. When he writes, the Levites are smarting under a recent wrong; they have had the priesthood for centuries and it has just been taken away from them. The jealousy of the Reubenites, on the other hand, is a remote tradition, or possibly an invention of Ezra's brain. Ezra pieces together in this marvelous fashion this actual, present jealousy of Levi with this remote, hypothetical jealousy of Reuben, so as to give his story a semblance of truth. He is bold as well as subtle. He strikes at the most famous of all the Levitical families, the family of Korah, a name which his descendants had brought to honor. He is so bold as to be careless; for, at first sight, he leaves us to imagine that Korah's family, so famous in after history, was wholly destroyed along with their father. Was Ezra or any one else capable of thus fitting his history to his laws? If not, we must remember that this narrative alone, if true, brings back the sacerdotal legislation to the Mosaic times."

¹ *Ibid.* p. 164.

have expected to fleece the people to this extent, however, for such a provision as that of the forty-eight Levitical cities was a pure invention, at once unexecuted and unexecutable.¹

Now, as it concerns JE, what rational ground can there be for assuming that it came into being at a time when as yet priests were not officially recognized or provided by statute with a sufficient support? At best, it can only be a few exceptional instances which our critics find in abnormal circumstances and an unsettled period (cf. 1 Sam. ii. 12-16), over against which we are able, as already shown, to point in this very document to examples where priests are found in high official position, and enjoying all that is implied in it of recognition and support (Ex. xix. 20-25; Josh. iii. 9-17). It is inconceivable that the priests selected to bear the ark across the Jordan before the hosts of Israel should be of the starveling, vagabond class described by Wellhausen.

As relates to D, we are unable to find anything justifying the extreme position so confidently taken. It is absurd to suppose that it means to give (Deut. xviii.) a full account of all that, in its time, was appropriated for the support of the priesthood. In that case to have been a "stranger" or a "foreigner," under the mild Deuteronomic code, would have been far preferable to serving at the miserly altar of Israel's only sanctuary.

The hypothesis, moreover, is positively precluded by the form of the legislation in D. Its direct citation (xviii. 2) of earlier laws could scarcely be more direct if chapter and verse were given. The Deuteronomic form of the law, in short, is but a repetition and enlargement under circumstances which specially called

¹ *Ibid.* p. 168 f.

for both, of previous enactments. The people after more than a generation of life in camp are now to be scattered up and down a wide extent of country, with difficulty traversable, and on both sides of the Jordan. A most important restriction touching the slaughter of animals for food has been accordingly removed in the very opening lines of the code (xii. 15). The revenues of the sanctuary, however, must suffer a proportionate abatement. Supposing, then, that the code of the middle books is already in force, what more natural than that some compensation should be made to the officiating priests? As we have noticed, their title as "Levitical priests" no longer represents that exclusive dignity to which the "sons of Aaron" might have aspired. Shall it not be made to appear that the changes inaugurated imply no lack of appreciation of the priestly station and function? The offices to which elsewhere in this book they are seen to be eligible require this (xvii. 12; xx. 2; xxvi. 3). In what a lamentable condition, indeed, must the religion of Israel have been if men of the rank of supreme magistrates in the administration of justice must submit, under the name of a support, to the miserable pittance which this form of the code, taken by itself, grants to its priests.

And if we compare the regulations of D and PC we shall find that the common theory best harmonizes with the facts. In Deuteronomy xviii. 3, 4, it is said: "And this shall be the right of the priests from the people who offer sacrifices, whether ox or sheep, one shall give the priest the shoulder, the two cheeks, and the stomach. [And in addition to] the first-fruits of the corn, the wine, and the oil, the first shearing of the sheep." What is added in parenthesis serves to

present the true relation of this rule to that of PC. The introduction (vs. 1, 2) shows that the code of the middle books is kept strictly in view. There (Num. xviii. 12, 13) the first-fruits have been already promised to the priests; here this fact is recalled in order to add to it the wholly new source of income, the first shearings of the sheep. That the parts of the animal assigned in D to the priests are over and above those given them in connection with the peace-offerings of PC appears from the language used. The terms are carefully chosen. Along with the stomach they are assigned here the "forequarter" and the two cheeks; there (Lev. x. 15), it is the "wave-breast" and "heave-leg." In PC it is the peace-offerings that are referred to (Lev. vii. 11; cf. Num. xviii. 11); in D, as it would appear (note the phrase, vs. 3, "from the people"), any and all sacred meals which might be made at the sanctuary or places contiguous (xii. 17; xv. 19, 20).

But are there not direct contradictions of PC to be found in D, making the ordinary hypothesis that they have the same origin impossible? So it is announced and specifications are given. In Deuteronomy, xii. 6, 7, 17, for example, the people are forbidden to eat the tithe of their products, except at the central sanctuary, and the prohibition is later repeated (xiv. 23). In PC, on the other hand (Num. xviii. 21, 24, 26, 28), the tithes are given by a perpetual ordinance to the Levites as reward for their services at the sanctuary; and they are even enjoined to give a tenth of their tenth to the priests.

All this is at once admitted, and may be as readily explained on the ground that the object of the tithe in D is wholly different from that of PC, and is meant to be understood as a *second additional* tithe, although not as wide in its application as the first.

Still another tithe, to be made once in three years for festival purposes at home, is a feature of the legislation peculiar to Deuteronomy (xiv. 28; xxvi. 12) and quite appropriate to its supplementary character. The three tithings taken together and carried out to the letter can in no sense be regarded as oppressive in their character or in the least out of harmony with one another. At any rate we have direct historical evidence that the Jews were accustomed to observe such a system of tithing. And this furnishes the strongest confirmatory testimony that the three tithes were all and severally enjoined in the code.¹

A more serious conflict still, it is thought, shows itself in the matter of the firstlings of the flocks and herds. In D (xii. 6, 17; xiv. 23; xv. 19), they are devoted to festival purposes at the sanctuary; in PC (Num. xviii. 15-19), they are given to the priests. Here is an apparent disagreement, truly, but it is more in appearance than in reality. It is true that the Levitical code puts the firstlings into the hands of the priests, but not for any purpose they may choose. They are made theirs to sacrifice; and only after the proper portion had been offered on the altar was another fixed portion to be theirs *for food*, "as the wave-breast and the right leg" were theirs (Ex. xxix. 26-28; cf. Deut. xviii. 3). That in Deuteronomy the more popular side of the law is presented, and these very firstlings, while still belonging to the Lord, are regarded as proper material for sacred meals on the part of their former owners and their offerers is not to call in question the legislation of the Book of Numbers. It is only to shed additional light upon it. The people, that is, the original owners of the animals, are

¹ Tobit, i. 7; Josephus, *Antiq.* iv. 8. 8.

understood to be sharers with the priests on these occasions, as was doubtless the case in the other offerings. In neither phase of the legislation is there any exclusive right given; that of PC especially limits it (Num. xviii. 18).

Might it not have been expected that our critics, who seem to be much concerned that the priests are granted in this document, at the expense of the people, privileges so wholly disproportionate and oppressive, would have discovered this very natural method of materially curtailing their perquisites?

Is it in any sense, moreover, true that in PC the claims of this class have advanced to an incredible extent, and become the intolerable yoke that is represented? Such a conclusion must be the result of a very superficial examination of the subject, or a much higher valuation of the income of the priests than is either just or reasonable. Wellhausen has by no means exhausted the list of things which, first or last, might be claimed by the priest,¹ although making some mistakes in the enumeration, as others have already pointed out.² He fails, however, to discriminate fairly as it respects the real value of the priestly perquisites. It should have been made clear that there was understood to be a wrong as well as a right way of appropriating and using them. Some of them belonged exclusively to the *officiating* priest; others to the whole class,—some might be consumed by the priest in company with his household; others, only by such male priests as were ceremonially clean. The time and place of their consumption, too, were definitely fixed by law (Lev. vii. 15–17). It should have been especially shown, or at least not concealed, that

¹ *Ibid.* p. 164.

² Hoffmann, *ibid.* 1880, p. 143 f.

the great mass of these allotted gifts were, in their very nature, exceedingly perishable, being articles of food that could only have a transient value. There was little, indeed, of anything that *fell exclusively to the priest*, even in PC, that could do more than furnish him a bare physical support.

Moreover, the propriety of going beyond PC, into the historical books of the exile, in order to find material for depreciating this class is more than questionable. That the support of the sanctuary, in addition to their own support, was in *the earlier times* expected to come out of what was contributed to those officiating there is to be inferred from the fact that no other provision was made for it in any of the codes. When, therefore, Wellhausen cites Neh. x. 32, 33 to show that it was not the case (in the later times), but that special provision was made, he cites a powerful witness against his own hypothesis. The history and the code in its supposed much revised and finally completed post-exilian form are thus shown to be strikingly out of harmony with one another.

And when, now, in addition to what has been said, it is considered that no part of the legislation of the Pentateuch contains a syllable concerning the collection for the priests of these dues, that there is no legal limitation of the amount of the first-fruits to be given them, and that hence in all periods their actual income depended almost wholly on the generosity and the religious fidelity of their countrymen, the whole subject assumes a wholly different aspect. It will, at least, appear most clearly that the document named PC does not make it one of its chief aims to increase the power and wealth of this alleged favorite class.

Still more unfortunate, if anything, are our critics

in the use they make of the legislation respecting the Levitical cities (Num. xxxv. 1-8; Josh. xiv. 4). If they are a pure fabrication of PC, having the same general aim to increase the wealth and influence of the *priesthood*, why are they given to the *Levites*, — to the tribe, and not to the family? And why do we find in a document having this purpose and springing up in the exile so singular a division of these cities, only thirteen of the whole finally falling to the priests (Josh. xxi.), notwithstanding the fact that they greatly outnumbered the Levites at the period of the return from Babylon, and always outranked them, whether in PC or out of it? Surely nothing could be more inconsequent than to make this an invention of the later priests.

And not only does the theory of invention condemn itself; it is proved false by many facts of Israelitish history. It is not true that we discover in this history no traces of the law or efforts to enforce it, as Riehm has conclusively shown.¹ In fact, the fundamental assumption of our critics that according to the records of the Hebrew people the priesthood had at first but a modicum of power, and that it gradually developed along the centuries until subsequent to the exile the apex of the pyramid was reached, is radically incorrect. To make such an impression possible the history must be tortured and schooled and made to tell a preconcerted story. The sojourn in Egypt must be denied; and just as stoutly any connection of this class with the Jewish lawgiver through Aaron its head. There must be an overlooking of those passages in which JE itself speaks of the priests with the highest respect, and of the numerous points in the history where to the hand of the priest are gathered the reins of highest influence even in civil affairs.

¹ *Handwörterbuch*, s.v. "Levitenstädte."

It was inevitable, in the nature of things, that in the checkered history of Israel, especially during the wars of the conquest, the rule of the judges, the rise and dominance of mighty prophets, this class should seem sometimes to be overshadowed, and that particularly in the spiritual decadence of the people the proverb should be fulfilled, "like people, like priest" (Isa. xxiv. 2).

But in all this there is no justification for the suspicion that the Levitical legislation was not behind them. Their failure in all cases to live up to it is sufficiently clear and need not be denied. It is strikingly paralleled in the better furnished ministry of the Christian church. The purest and most dutiful Aaronic priest is only debtor to the confession of the noblest and most faithful servant of Christ: "I count not myself to have apprehended." The standard in both cases is planted far above the attainment, and in both alike proves thereby the divinity of its origin and the perfectness of its ends.

IV.

LAWS PECULIAR TO DEUTERONOMY.

THE importance of the Book of Deuteronomy in all discussions touching the age and origin of the Pentateuch cannot well be overestimated. Leading critics, indeed, like De Wette¹ and Graf,² have regarded it as decisive battleground. Lying in the midst of the supposed development of Pentateuch literature from Moses to Ezra, it ought to show, if it appear anywhere, positive evidence of the evolution then in progress. It ought to show this especially in its legislation, which, as the name "Deuteronomy" imports, forms the body, and is undoubtedly the main object, of the work. It ought to show it most of all in such laws as are original with this book and intrinsically represent it.

It is said of the Pentateuch codes in general that they but reflect, in their several parts, the changing social and ethical standard of the Hebrew people during many hundred years previous to the exile. If this be true,

¹ *Lehrbuch der historisch-kritischen Einleitung*. Neu bearbeitet von Schrader, Berlin, 1869, pp. 322 ff.; and *Studien u. Kritiken*, 1837, p. 953: "The view taken of Deuteronomy is for the criticism of the Pentateuch decisive."

² *Die Geschichtlichen Bücher des Alten Testaments*, p. 4 f.; cf. also Kleinert, *Das Deuteronomium*, p. 3: "Denn zwar dieses erkennt De Wette an, und hat damit für seine Nachfolger einen Fingerzeig gegeben, dessen Nichtbeachtung fast immer der kritischen Untersuchung zur Schädigung gereicht hat: dass in dem Deuteronomium das ὅς μοι ποῦ στῶ für die ganze kritische Frage über den Pentateuch gegeben ist." Wellhausen, on the other hand, with a good deal of unnecessary bravado, rules the whole matter out of the discussion as something already settled. He says (*Geschichte*, p. 9): "Ueber den Ursprung des Deuteronomiums herrscht noch weniger Zweifel; in allen Kreisen, wo überhaupt auf Anerkennung wissenschaftlicher Resultate zu rechnen ist, wird anerkannt, dass es in der Zeit verfasst ist, in der es entdeckt . . . wurde."

and they are in no sense ideal or prophetic in character, the peculiar product of a superhuman revelation, or inspiration at the genesis, and throughout the progress of a much more limited development, the fact should appear most plainly, not so much in the features that are common to all of them, but rather in such as are exceptional and individual. There are some laws, as for example that regarding public worship, or that of the feasts, which, in a form more or less modified, appear, as we have seen, in each of the three great divisions of the Pentateuch legislation. In such cases there is ample room for discussion, in fact, imperative need of it, on a host of questions quite apart from the main question. It must first of all be determined whether these diverse forms are, as alleged, the result of widely varying circumstances of place and time, or may fairly be regarded as evidence simply of another point of view within the same period and on the part of the same legislator. Where, however, a law is found in but one of these divisions and in but one form, the area of debatable ground is greatly lessened. We are then prepared at once to test our critical theory concerning the age of the document and to do it under circumstances of the least embarrassment.

Now, it is well known that no inconsiderable portion of the Deuteronomic laws are of this character. And it is a highly significant fact in itself, since it is just what we might expect on the common hypothesis that this code chronologically concludes the legislation of the Pentateuch. But it is also of value as furnishing a capital opportunity to prove the validity of a favorite tenet of many modern critics.

Out of the full score of these early laws original with Deuteronomy, and confined to it, there are some, it is

true, of such a nature that a chronological test can only with difficulty be applied to them. But with the majority it is quite otherwise. Their response to such a test is both immediate and categorically direct. The only question remaining to be asked, that is, for those who will press a question of this sort, is whether these laws are seriously meant, or, like the so-called "Blue Laws" of Connecticut, are but *quasi*-statutes, whose originator was satisfied if they were founded on fact and were not easily distinguishable from fact.

The first example of a law peculiar to Deuteronomy is that concerning *seduction to idolatry*. It occupies the entire thirteenth chapter and appears in three sections: (1) as applying to false prophets (vs. 2-6); (2) to individual members of the community whom it rigorously singles out from the most intimate relationships (vs. 7-12); and (3) to whole cities which might become infected with the crime (vs. 13-19). The close logical connection, both of the subject and its treatment with what immediately precedes, is the first thing that attracts attention.

The Deuteronomic code, opening with the twelfth chapter, begins with a command addressed to the people to totally destroy idolatry and remove every vestige of it from the land which the Lord their God is giving them as a possession (xii. 2-4). Next follow directions respecting their own place of worship. There is to be but one such place, and the Lord himself will designate it (xii. 5-28). Then comes the present law prohibiting, under penalties the severest known to the Pentateuch, efforts from any quarter to draw away the people into heathenism.

In these three phases of the law, together with a later section (xvii. 2-5) on the punishment of Hebrew

idolaters, we have what seems intended to be a complete presentation of the subject as well on its positive as its negative side. It is not easy to see how any code could have more fully met the requirements of the case on the supposition that the Israelitish people are what and where they purport to be. It offers by far the most developed form of Pentateuch legislation on this theme. That of the middle books, notwithstanding the fact that it is supposed to have originated during the exile when the popular spirit of opposition to idolatry really culminated, is not only less comprehensive but much less stringent. And what more natural? The gigantic evil against which a struggle, unsuccessful for a full millennium was to be undertaken, now fairly confronted them. Every part of the law breathes the spirit of originality and of initiatory movement. There are two allusions to the exodus from Egypt (vs. 6, 11). The crossing of the Jordan is in immediate prospect; participial forms and the future tense of the verb characterize every reference to the promised land.

On the contrary, there is nothing in the times of King Josiah, eight centuries later, where critics would anchor our code, save his singular zeal for purity of worship, that could suggest the origin of such a statute in his time. He did, it is true, slay on their own altars some priests of the high places of Samaria (2 Kings xxiii. 20); but the history of that period furnishes no occasion for the peculiar specifications of our law touching idolatrous *prophets* (vs. 2-6); and its form, in other respects, especially in its allusions to Canaanitish neighbors, would have been an anachronism at so late a day.

It is universally admitted that the reforms of Josiah

were largely inspired and directed by this law. But how is it to be accounted for, unless by the account it gives of itself? On no principle of development could it have been the spontaneous product of the age wherein it wrought so mightily. The reformation in the days of Hezekiah and other earlier kings is also evidence against it. If, however, from the period of the conquest it had existed and lain comparatively dormant, but now, when the divided kingdom was hastening to its fall, under the divine Providence it had come to its inherited right and its legitimate influence, the prodigious effects produced may be readily understood. There is many an analogous fact in the history of Christianity. In the vegetable world, too, as is well known, there are plants that reach their bloom only after lengthy periods of seeming unproductiveness. But there is no period when the flower is not present in germ or that all the energies of the plant are not steadily working toward it.

The next independent law of Deuteronomy relates to the *appointment of judges and officers* (xvi. 18): "Judges and officers shall ye appoint for yourselves in all your gates." By "judges," magistrates seem to be meant, and by "officers," their assistants. In a second passage (xvii. 8-13) it is further enjoined that if these local magistrates find any case brought before them for decision too difficult, they—the judges or elders, not the people—may carry it up to the central place of worship and submit it to the Levitical priests or to the judge, that is, supreme magistrate who might be ruling in those days; a verdict thus obtained should be irreversible.

The law obviously contemplates a settled order of things in the land of Canaan. It does not, however,

presuppose it. The cities referred to are those which the Lord their God is "on the point of giving" them. It shows, no doubt, an advance as it respects the institutions of the wilderness (Ex. xviii. 13-26; cf. Num. xi. 16, 17, 24-29), but an advance along the same line. The original provision for seventy elders is so extended as to adapt it to circumstances in immediate prospect. The dignity and the civil power which, up to this time, had inhered in Moses and the high-priest are now to be vested in the priests of the central sanctuary and the chief magistrate of the nation.

And this arrangement seems actually to have been carried out, at least in its main features, in the post-Mosaic history, by Joshua (viii. 33; xxiv. 1), during the time of the judges (cf. Ruth iv. 1-9), and in the life of Samuel. It is maintained, however, that in this whole matter our author simply imputes to Moses something that must have originated at a much later day. Even so conservative a critic as Riehm¹ affirms that the existence in his time of a court of appeal is presupposed by the writer of Deuteronomy. And inasmuch as the history gives us no account of an institution like it before the reign of Jehosaphat (2 Chron. xix. 8-11) five centuries later, we must conclude that the law relating to judges and officers was made after his day.

To this reasoning and conclusion alike we are quite unprepared to subscribe. For, in the first place, if anything is taken for granted in the Deuteronomic law of the higher court, it is the possibility and the custom of appeal, not the existence of this very court. With such a general custom the people had been familiar at least for a generation, the harder questions having all along been carried to Moses and Aaron, and after

¹ *Gesetzgebung Moses*, p. 62; *Handwörterbuch*, s.v. "Gerichtswesen."

Aaron's death to Moses and Eleazer (Num. xxvii. 2). This practice was now to be continued, the highest civil authority acting for the lawgiver.

In the second place, the court instituted by Jehosaphat was, in some of its features, a totally different affair from the one before us. It was composed of priests *and* Levites, instead of Levitical priests. It had a civil, as well as ecclesiastical, head acting at one and the same time. Our law presents them as acting independently. The civil head is represented by a family chief of Judah, *nāgîdh*, an official unknown to Deuteronomy in this connection, with whom are associated also some of the chiefs of the fathers of Israel; while the high-priest is the ecclesiastical head.

In the third place, we find David, a hundred and fifty years before the time of Jehosaphat, apparently guided in his appointment of officials by the Deuteronomic code (1 Chron. xxiii. 1-4; xxvi. 29-32). It might, indeed, be objected that this account of what David did is found only in the much depreciated history of the Chronicler. But if the second of his books be competent authority for the alleged acts of Jehosaphat, the first should be thought no less so for those of David.

The law for the *punishment of Hebrew idolaters* (xvii. 2-5) has been already casually mentioned in connection with that concerning *seduction to idolatry*. Like the latter, it professes to be anticipatory legislation (v. 2); and there would be no further need of calling attention to it were it not for a peculiar species of idolatry to which it refers: "And hath gone and served other gods and worshiped them as the sun, or the moon, or any of the host of heaven which I have not commanded" (v. 3). The worship of the heavenly bodies, Sabæanism, is here recognized as a possibility. But from the historical

books of the Old Testament (2 Kings xxi. 3 ff.; 2 Chron. xxxiii. 3 ff.), we learn that the public introduction of such worship *in Judah* took place in the reign of Manasseh, at the beginning of the seventh century before Christ. It is accordingly held that the present law would be out of place in the time of Moses, the tacit assumption, of course, being that a law never precedes, but always follows, the outbreak of the crime against which it is directed.

But, were such a principle to be admitted in the present case, the conclusion reached would by no means follow, since there is overwhelming evidence that this particular form of idolatry had been known to the Israelites from the beginning. The kingdom of *Israel* had practised it long before the time of Manasseh, as witnessed to by the Books of Kings (2 Kings xvii. 16). Amos, too (v. 26 f.), during the reign of Jeroboam II., makes direct reference, as is now acknowledged by the best authorities, to the worship of Saturn in the northern kingdom, naming the planet both by its Accadian and its Assyrian title.¹

It is indisputable, moreover, that sun, moon, and star worship was one of the most primitive and universal forms of idolatry among the leading nations with which the Hebrews during the Mosaic period came in contact.

¹ See Riehm's *Handwörterbuch*, s. v. "Assyrien," "Sonne"; also Schrader, *Die Keilinschriften*, etc. 2te Aufl., p. 442, and in *Studien und Kritiken*, 1874, pp. 324-332. Hommel, too (*Die Vorsemitischen Kulturen*, i. (2), p. 204), speaks of the renowned temple of the goddess of the Moon, which the old king of Ur, Ur-bagash (c. 2870 B.C.), and his son Dungi built; and still further (p. 209), of a temple of the Sun at Larsa, the Ellasar of Gen. xiv. 1. Rawlinson, in *The Religions of the Ancient World* (p. 145), says of the religion of the Phœnicians: "That Shamas or Shemesh, 'the Sun,' was worshiped separately from Baal has already been mentioned. In Assyria and Babylonia he was one of the foremost deities; and his cult among the Phœnicians is witnessed to by such names as Abed-Shemesh, which is found in two of the native inscriptions. . . . The sun-worship of the Phœnicians seems to have been accompanied by a use of sun-images, of which we have perhaps a specimen in the accompanying figure which occurs on a votive tablet found in Numidia."

It lay at the basis of the Baal and Astarte cultus of their Canaanitish neighbors. Its prevalence in Egypt is proved by the monuments.¹ And how seriously Abraham's Chaldæan ancestry was devoted to it appears from the fact that in the wedge-shaped inscriptions of their day the uniform ideographic representation of the divinity was a star.² Hence, so far from finding it strange that we meet with an alleged Mosaic law of this sort in Deuteronomy, we should think it strange if under the circumstances supposed it were not there.

Besides, the form of the statute is not to be overlooked: "And hath gone and served other gods . . . which I have not commanded." A certain kind of worship then had been enjoined. We cannot well be mistaken in supposing that the second of the ten commandments is specially referred to. "Thou shalt have no other gods before me," and especially the clause, "Thou shalt not make unto thee any graven image or any likeness of that which is in heaven above" (Ex. xx. 3, 4).

We are confirmed in this view by what is said in a previous chapter of Deuteronomy (iv. 19), where the writer, indirectly commenting on the giving of the law at Horeb, alludes to this very thing, that is, interprets the second commandment, as it would seem in this sense: "And lest thou lift up thine eyes unto heaven, and when thou seest the sun and the moon and the stars, all the host of heaven, shouldst be led to worship and serve them." So that the force of the concluding words of our law, "worship any of the host of heaven which I have not commanded," may fairly be said to be, "which I have elsewhere already forbidden."

¹ Cf. Ebers, *s.v.* "Egypten," in Richm's *Handwörterb.*; also *s.v.* "Gebet," *idem.*

² *Idem.* *s.v.* "Assyrien." Cf. Rawlinson, *Ancient Mon.* i. pp. 125, 127.

We come next in order to the *law of the king* (Deut. xvii. 14-20). Fault has often been found with the original political constitution of the Hebrew people, as formulated in the Pentateuch, on the ground of its impracticability. It was, to some extent, impracticable, and for a very natural reason. A pure theocracy would be wholly practicable only among unfallen or perfectly sanctified men. It is not to be regarded as a defect of the Mosaic constitution that it put forward so unique and noble an ideal; that it pursued it till its practicability at that time, and under the circumstances that then prevailed, was fully demonstrated; or, further, that from the first it foresaw the exigencies that would arise (Gen. xvii. 16; xxxvi. 31; xlix. 10) and made provision for them by means of statutes designed to regulate and limit what might not be wholly prevented.

The law of the king, as we find it recorded in Deuteronomy, is, on its face, framed in anticipation of a juncture to arise. It looks forward to a period when the Canaanites shall have been dispossessed, their land apportioned, and Israel definitely settled in it. The demand for a king would then arise. It would come from the people. Permission is granted to comply with this demand conditionally, and directions given in detail concerning the manner of the sovereign's choice, the title he shall bear, the government of his household, his income, his relative position among his brethren, the succession, and other matters, in a way to set him wholly apart from any contemporaneous kings, so, indeed, as to show that he was to be a king under the peculiar conditions of a government that must still be recognized, as in the end, theocratic.

The law, in short, is Mosaic in the finest shading of its phraseology. It is true that some temptations and

evil practices of kings in general — in the event proving to be also those of later Israelitish kings, like Solomon — seem to have been directly in mind throughout and guarded against. With the knowledge of what the kings of Egypt and Canaan were, what less could have been expected of such a man as Moses, to say nothing of the fact that our book represents him as a prophet?

On the other hand, there are features of this law which plainly preclude the theory of its supposed origin near the close of the seventh century B.C. What sense on such a supposition in the injunction that a foreigner was not to be set up as a king? Already, for centuries, the succession had been firmly established in the family of David.¹ Or in forbidding to lead the people back again to Egypt? Such a return had not been thought of since the first crossing of the Jordan; although so familiar a subject in the *mouths of the people* in Moses' time (Ex. xvi. 3; Num. xi. 5; xiv. 4).

It is true that we do not find Samuel, when long after the subject of a king is broached by the discontented people (1 Sam. viii. 1 ff.), quoting this law. There is excellent reason for his not doing so. He is looking at the matter and speaking of it from the point of view of his petitioners. He calls attention to the additional and oppressive burdens the new office will entail on them; to the more than questionable spirit and form in which their request is made. It is true that he feels obliged to condemn the project, as it is

¹ Delitzsch (*Zeitschrift für kirchliche Wissenschaft*, etc. 1880, p. 565) has sufficiently answered the point made by Prof. W. Robertson Smith (*Answer to the Amended Libel*, p. 26), who refers to Is. viii. 5, in evidence that "die syrisch-ephraimitische Ligue die Davidische Dynastie zu beseitigen und einen Syrer Ben Tab'el zum Könige von Juda zu machen gedachte, indem er dabei bemerkt, dass eine Partei in Juda dieses Vorhaben begünstigte. Aber woher weiss er dass so gewiss? Es ist nichts als auf streitiger und mehr als unwahrscheinlicher Deutung von Ies. 8, 6 beruhende Vermuthung." He adds that the sins there rebuked are common to the whole people.

brought before him, just as Gideon had already done (Judges viii. 22, 23); and that finally in those particular circumstances — as in any circumstances if the best thing were wanted — the request for a king is conceded under protest. But there is just as little reason on this ground for holding that Samuel was unacquainted with the Deuteronomic law of the king, as there is for holding that Hosea was not acquainted with it, who also says (xiii. 11) that God gave to Israel a king in his anger; or that St. Stephen (Acts xiii. 21) was ignorant both of Samuel's and of Hosea's words because in his reference to the choice of Saul as king he says not a word of there being any opposition to it.

The *people* of Samuel's time, it is evident, knew of the law; they do not overlook the advantage they have in it in the appeal they make. They use its language almost word for word in Hebrew, "make us a king to judge us like all the nations" (1 Sam. viii. 5; cf. Deut. xvii. 14). And it has been noticed that the whole context is saturated with Deuteronomic expressions and ideas.¹

¹Cf. Sime, *Kingdom of All Israel* (London, 1883), pp. 35-38, and Professor Green in the *Sunday-School Times* for October 6, 13, 1883. The ingenious theory of Ewald adopted by Riehm (*Gesetzgebung Moses*, p. 81 ff.), that in the specification of our law that the king "shall not multiply horses to himself, nor cause the people to return to Egypt, to the end that he may multiply horses," the hiring out of Israelites as mercenaries to the Egyptian king is meant; and that such a state of things might well have existed in the time of Manasseh is utterly lacking in documentary support. The only passage that even looks in this direction is the threatening contained in Deut. xxviii. 68, that in case of unfaithfulness the people shall be carried down to Egypt in ships. Aside from this there is not a hint of such a possibility in the biblical books. And it is impossible to suppose that if a project so repugnant to the Jewish spirit and institutions had been entertained, it would have been so completely overlooked.

Moreover, in the narrative of the crowning of Joash, c. 878 B.C. (2 Kings xi. 12), there is a notable allusion to a law of some kind that was committed to him. It is said of the high-priest on that occasion that he brought forth the king's son and put the crown and the testimony upon him. On the original word for "testimony," Thenius says (*Com., in loco*) that it was not an ornament, not a phylactery on the crown, not the royal insignia, but the law, a book in which Mosaic regulations had been written. This conclusion is certainly in harmony with the uniform employment of the word in the Old Testament. And Kleinert (*Deuteronomium*, p. 97), with other first-rate authorities,

Not inferior in importance to this law of the king, among the independent statutes of the present code, is that relating to *the prophet* (xviii. 15-19). "A prophet from the midst of thee, from thy brethren like myself, shall the Lord thy God raise up unto thee," etc. It is most singularly introduced in connection with a prohibition of magic, to which, in fact, it holds a subordinate position. Moses is the speaker. He assumes, as something well understood, that this prophet had been already provided for at the giving of the law in Sinai, although we have no other record of such a provision. He declares that when he comes he will be the mouth-piece of Jehovah to Israel, and that whoever refuses to hear him, it will be required of him.

Nowhere is the personality of the great mediator of the Siniatic covenant more distinctly impressed on an utterance of the Pentateuch. Now, let it be supposed that it was not he. Let us look for a moment at the hypothesis that it is some unknown prophet or priest of many centuries later who is speaking here, as if he were Moses. What must have been the man's temerity to press his impersonation to the extent that he not only makes the supposititious lawgiver say that the coming prophet will be like himself, but refer to an event in his own and their past history concerning which the Pentateuch is silent and the people of that later day were probably ignorant? How strange the working of his mind, especially if he were himself a prophet, that he should introduce in so dubious a connection,

supposes that our Deuteronomic law of the king is specially meant. Whether this be so, or, as seems more likely, it be the entire code of Deuteronomy that is referred to (cf. Deut. xvii. 18, 19), there can be little doubt that it was considered the proper thing to do to put a written copy of some portion of the Pentateuch in the hands of the king on his accession. And since this is one of the very things enjoined in the statute we are now considering, it is to be inferred that the custom arose in this way through the mediation of the priests, in whose hands it was kept.

that is, as subordinate to a law on magic, the matter of Hebrew prophecy, and the culmination of it too, an institution surpassed by no other in its grandeur and importance.

It is not to be supposed that critics who reject the Mosaic authorship of these laws will, with Delitzsch and others, see in the present one a direct, not to say exclusive, prophetic reference to the Messiah. They would rather choose to hold, it is likely, that if there be a latent allusion to such a possible outcome of prophecy, it is simply the product of a wholly natural hope and aspiration of the Jewish mind.

If this be so, and we have before us simply an *ex post facto* reference to Hebrew prophets and prophecy in general, as they had come to be, and to be known long before the conjectured date of Deuteronomy, it is certainly a surprising and wellnigh incredible circumstance. The almost surreptitious manner of its introduction, as we have said, puzzles us. It presents, moreover, but a single one of the prophet's many-sided functions. It characterizes men like Samuel, Gad, and Elijah, Obadiah, Amos, and Jonah as being like Moses, which would set everybody to thinking of more respects in which they were quite unlike him. It speaks of a prophet, has the office principally in mind, when more than a score and a half of them, differing from one another as widely as Elisha and Jeremiah, had already appeared, whose activities had extended over a period of five hundred years. It offers as a criterion to prove the claims of such as might give themselves out for prophets, the fulfilment or non-fulfilment of their predictions; when such seers of the distant future as Isaiah and Micah were then upon the stage, for whom so specific a test would have been as inappropriate as

it was fitting for the sporadic prophets and their imitators in the early days.

We meet next, in the series of laws now under review, with one against the *removing of landmarks* (Deut. xix. 14): "Thou shalt not remove the boundary line of thy neighbor which those going before have placed as a boundary in thy inheritance which thou shalt inherit in the land the Lord thy God is giving thee for a possession." The reference, plainly, is to the fraudulent displacement of boundaries separating one's landed property from that of his neighbor. How serious a breach of equity it was regarded may be inferred from the circumstance that it is one of the acts singled out in the 27th chapter of this book for special execration. The important point now to be considered, however, is a supposed anachronism of the writer in representing Moses as saying, "which those going before have set as a boundary." The clause is rendered by some, "which the forefathers," or "thy forefathers set as a boundary," and it is accordingly regarded as a clear *lapsus pennæ* of our *quasi*-legislator of the exodus. But there is not only no necessity for this rendering, there is, as it seems to us, no propriety in it. The word in question is found without the article or any pronominal or other limitation. It means simply "predecessors," and might justly be employed in such a connection by one who was legislating not for any particular emergency, but for the whole future of the covenant people. That it is used in this sense here and not in that of "forefathers" who had already departed, the context is conclusive proof. The "boundaries" spoken of are those of the land which the Lord their God is "on the point of giving them." This participle is as characteristic a feature of all references to the

land of Canaan in our code as *yibhchar* is of the formula by which the central sanctuary is designated. The criticism that would impute to our lawgiver, whoever he may be, the folly of expressing, within the limits of a single verse, ideas so contradictory as that the Israelites had long been settled in Canaan, and that they had not yet entered it, condemns itself.

To possess and occupy Canaan meant a long and bitter conflict. It is natural, therefore, to find no inconsiderable part of our code devoted to military operations and rules of war. How captives are to be treated, cleanliness in camp, what cities are to be spared and what destroyed, the demolition of heathen shrines,—these are some of the timely topics treated by our lawgiver on the eve of the conquest. Of a like nature is the one we now take up regarding *preparation for battle* (Deut. xx. 1–9; xxiv. 5). It is most unique in character, and bears in every part the evidence of strict historic truthfulness.

First, there is an appeal for courage in view of superior numbers and strength. He who had brought them out of Egypt would be with them. Should they see horses and chariots, they were not to be afraid of them. Afraid of horses and chariots! Childish admonition if it be not childlike and genuine! In Hezekiah's and in Josiah's time the land already swarmed with them. Ahab alone was master of a good two thousand chariots of war (cf. Is. ii. 7).

Next, the very process of entering on a campaign is simply detailed. It is assumed, in harmony with Numbers (i. 3), that the whole male population over twenty years of age and capable of bearing arms is at the place of muster. It is assumed, further, in accord with instructions of the same book (xxvi. 2), that full lists of

those subject to military duty are in the hands of the Shoterim. It is also assumed that a priest specially designated for the purpose "the priest," again in dependence on the Book of Numbers (xxxi. 6), where Phinehas acted in this capacity, will be present to hearten and inspire the host with his trumpet and his brave words. It is assumed that the Shoterim, who have the muster-rolls, are empowered, not only to address the assembled levies, retain or dismiss at will such as are found eligible or ineligible for active service (with v. 6 cf. Lev. xix. 3 f.), but also to divide and subdivide them into battalions and companies, set them in battle array, and place suitable leaders at their head.

The entire arrangement, in short, is peculiarly primitive and appropriate only to the earliest periods of the commonwealth. After the rise of king, court, and mighty men of war, after Saul's second year, when three thousand chosen men were made the nucleus of a standing-army, especially after David's day, when royal bodyguards were customary and foreign mercenaries began to be employed, such an arrangement would have been antiquated and impossible.

The *treatment of hostile cities that are not of Canaan* is also made the subject of special legislation in our code (xx. 10-14, 19, 20), and the manner of its introduction is full of meaning. The lawgiver had just been speaking of Canaanitish cities, which in sharp discrimination he refers to as "the cities of these nations here" (xx. 15), that is, lying over against their encampment in the fields of Moab. For them there was one law of procedure. It had been indicated in previous deliverances to which he now refers (v. 17).

But it is not alone the peculiar introduction of the subject that is significant. The whole outlook of the

legislation is equally so. With what propriety, for example, could a writer of King Josiah's time, three hundred years after the division of the kingdom, a hundred after the final captivity of Israel, when many a fortress of Judah was already in possession of Assyrian troops, in the midst of the moral decadence and political disintegration that are reflected in the prophecy of Jeremiah, preface a command to exterminate the Canaanites with another specifying how foreign cities were to be besieged and their prospective spoils appropriated? Especially on what principles of psychology could it be anticipated that under circumstances like these a romancing legislator of the later day, without a hint of an impending catastrophe to the polity and people to which he himself belonged, would coolly bethink himself of so small a matter as the fruit-bearing trees that might be growing around the beleaguered towns of imaginary foreign foes, and sedulously enjoin that they be spared for food?

In the ceremonial of *purification for murder*, the murderer being unknown, recorded in Deut. xxi. 1-9, we have a remarkable example of the utmost simplicity of form united with a singularly active consciousness of the sacredness of human life and the solidarity of human responsibility concerning it.¹ Where, but amidst the simplicity of primitive times, should we find the authorities of different cities determining jurisdiction after a method so rudimental as actual measurement?

The entire scene, in its homely picturesqueness, makes the impression of the very beginnings of political existence. The gathering by a perennial stream, an appointed substitute for the unknown criminal in leading, the handwashing in token of non-complicity with the crime, the touching declaration breaking into

¹ Cf. Gen. iv. 10, the Jehovist; ix. 6 (PC).

prayer: "Our hands shed not this blood and our eyes saw not the deed. Forgive, O Jehovah, thy people Israel, whom thou hast redeemed, and lay not innocent blood to the charge of thy people Israel," are all of the same simple character. If at first we seem to be witnessing a sacrifice (cf. *kāphar*, v. 8), we soon find that this is not the case. The fundamental elements of a sacrifice are wanting. There is no altar. The blood is not shed. The victim's neck is simply broken (cf. Ex. xiii. 13). It is an execution. Justice has done its work as far as it is possible to do it under these circumstances. The murdered man has been avenged by the whole community acting as his kinsman. The same form of words, in fact, that in a previous chapter brought to a close the execution of a wilful homicide (xix. 13) also concludes this ceremony.

The next two topics treated in the independent code of Deuteronomy, that of *female captives* (xxi. 10-14) and a *disobedient son* (xxi. 18-21), offer but indefinite indications of their age. Still, the former implies a state of things like that which existed only on the eve of the conquest and for a short time after it. The captives referred to cannot be Canaanitish women with whom marriage was forbidden; and the acquisition of foreign territory and spoils, as we have seen, ceased to be a subject of aspiration, and could not have been one of legislation, after the reign of David; while the latter harmonizes perfectly with its historic surroundings as well as with the other codes with which it is associated (Ex. xxi. 17; Lev. xx. 9), and seems to be definitely referred to in some passages of the Chokma literature. (Prov. xix. 18, falsely rendered in the A. V.: cf. xxx. 17; Ecclus. iii. 1-16).¹

¹ It is an interesting fact, and not without significance, that the old Babylonian family customs were very similar to those here indicated. If a son refused to obey his father or

A peculiar regulation concerning *the bodies of persons who had been hanged* is met with in Deut. xxi. 22, 23. It is enjoined that they be buried on the day of execution, in order that they may not pollute the land. While in itself containing nothing out of harmony with a supposed Mosaic date, there is a positive confirmation of such date in the Book of Joshua. In two notable instances this appointed successor of Moses is reported as acting in studied consistency with this law (viii. 29; x. 27). It is true that much of the Book of Joshua is alleged to have been written by the author of Deuteronomy, but these two passages are not included by the majority of critics in that part of it, but admitted to be among its oldest portions.¹

The law requiring that in the case of building "a new house" *a parapet for safety be made around the roof* (xxii. 8) might imply either previous and customary life in tents, or that the new-comers would find in Canaan houses already built, as, in fact, is directly stated elsewhere (xix. 1). An occasion for the introduction of the subject here may possibly have been the fact that the tribes of Reuben, Gad, and the half-tribe of Manasseh, were then in process of providing homes for their families and shelter for their flocks east of the Jordan (Num. xxxii. 16) antecedent to the passage of the river.

Among the many provisions of the Deuteronomic code inculcating humanity, or conceived especially in a humane spirit, is that regarding a *complaint of unchastity previous to marriage*, preferred by a husband against a newly married wife (xxii. 13-21). One main object of it seems to have been to protect an otherwise helpless woman against the brutality of a selfish and

his mother, various severe punishments might be visited upon him, even to selling him as slave. Cf. Hommel, *ibid.* p. 416.

¹ See Kleinert, *ibid.* p. 96 f.

unscrupulous lord to whom she was legally bound. The rigorous punishment inflicted on the plaintiff, if he failed to make out his case, the fine (cf. Ex. xxi. 22), the beating (cf. Deut. xxv. 1-3), and the denial of the right of future separation on any terms (xxiv. 1-4), bring the statute into line with other enactments of the present code and bespeak for it the same origin.

An extended law for a somewhat similar case is found in Numbers (v. 11-31); but the legal process is wholly dissimilar, and the complaining husband there goes unpunished. Riehm holds¹ that in the codification of the Deuteronomic law we have evidence that the one found in Numbers was already considered antiquated, and that hence the former belongs to a much later period. But the two cases are different enough in their nature to require different laws. Both of the laws are apparently based on old-time customs. The Deuteronomic seems to be more changed, and, possibly, with special reference to that of Numbers, supplementing it, as it were, with the needed moral background and standard by which a one-sided application might be avoided. Without superseding it for the special case it had in view, it emphasizes in its heavy penalties for the baseless slanders of a husband a principle of equity there unrecognized, but which, expressed or unexpressed, should always be understood to rule in similar circumstances.

Israel was considered as forming a peculiar *congregation* (*qāhāl*)² of the Lord, and it is not strange that we

¹ *Gesetzgebung*, etc. p. 67.

² This term is found nowhere else in the Pentateuch except in Num. xvi. 3; xx. 4, where it is used in the one instance by the promoters of Korah's rebellion and in the other by the people who murmur at Moses in the wilderness of Zin. In itself, it is thought to indicate a late origin for a document in which it occurs; and its appearance in Joel is one of the reasons given for assigning that work to the period of the exile. But there were good reasons for its employment in the middle books of the Pentateuch under

find at the beginning of its national life *a law defining and restricting its bounds* (Deut. xxiii. 2-9). With a mixed multitude swarming in its camp, a more opportune moment for such a law than just before the conquest there could not well have been. The first provision concerns persons unmanned by castration or other mutilation of the reproductive organs. Held in honor by contemporaneous people, they failed to meet the totality of the divine claim; as they were unable also, in some instances, to comply with the requisition of the Abrahamic covenant whose seal was circumcision.

Yet such a law would scarcely have been suggested to the imagination of a man eight centuries later. Even Samuel mentions eunuchs as among the prospective servants of Israelitish kings (1 Sam. viii. 15). And so we find them at the court of Ahab (1 Kings xxii. 9), of Joram (2 Kings viii. 6; ix. 32), and in the kingdom of Judah employed with honor by the very successor of Josiah (2 Kings xxiv. 12, 15). Israelites, it is likely, they were not; but foreign slaves. Still their employment is no slight symptom of altered circumstances. And we are not surprised to see Isaiah (lvi. 3 ff.)¹ advancing to a far more spiritual view, making, in fact, the transition to that new economy in which the queen of Ethiopia's eunuch becomes a distinguished trophy of this same "ecclesia of the Lord."

From a special subordinate class, our law goes on to

the historical circumstances mentioned; and there is no good reason why, later, Moses should not himself have adopted the word and filled it with a better spirit. Moreover, the principle that rules in this whole section is thoroughly Levitical. Its requirements are quite analogous to those respecting the qualifications of a priest (Lev. xxi. 17 ff.), as also of all offerings made to the Lord (xxii. 18 f. 24). And it is not the first time that the Deuteronomic code has shown a marked advance beyond that of the middle books in the sentiment that Israel was to be a consecrated, priestly nation (with Lev. xvii. 15 cf. Deut. xiv. 21).

¹ Schultz (*Das Deuteronomium erklärt*, p. 569) has called attention to the coloring of the language in the context of Isaiah as seeming to show a dependence on Deuteronomy.

mention nationalities that are eligible or ineligible to the privilege of Jewish citizenship. And here the impress of its time upon the document becomes still more decided. The attitude assumed by our lawgiver toward these nations does not seem unnatural, if he be Moses. But no writer in his senses could have seriously taken it after the time of Solomon. Because of their treatment of Israel on their march from Egypt (Num. xx. 18 ff. ; xxii. 5) the Ammonite and Moabite are forever shut out from citizenship among the chosen people. The Edomite is admitted to it after a short probation ; so, too, the Egyptian, — the former on the ground of kindred blood, the latter on that of hospitality to the Hebrew strangers.

Turn now to the earliest prophets. There is scarcely one of them who is not found facing in a contrary direction. So it is with Hosea (vii. 16 ; viii. 13), with Joel (iv. 19), with Amos (iii. 9), and especially Isaiah, in the first forty chapters of whose prophecy there are nearly as many denunciations of Egypt. And Edom ! Considering their historical relations to Israel, nothing could be more friendly than the tone in which our law alludes to them. But we find absolutely no echo of it in any subsequent period, even down to the time of the Maccabees (1 Macc. vi. 31). Saul fought with them (1 Sam. xiv. 47) ; David, for a time, made them tributary (2 Sam. viii. 14). Under Joram they regained their independence. They were the heartiest allies of Syria and Ephraim against Ahaz (*circa* B.C. 740) ; and never did their traditional hatred show itself more conspicuously than in the siege and capture of Jerusalem (B.C. 588), when, in the language of the Psalmist, they cried out : “ Raze it, raze it to the foundation thereof ! ” (Ps. cxxxvii. 7). All the more important prophets from

Obadiah and Joel to Ezekiel hold a position toward Edom which is the exact antithesis of that of the Deuteronomic law. Which one of them, or what man of their time, could possibly have been the author of it?¹

We come next to a brief regulation touching *runaway slaves of foreign masters seeking refuge in Israel* (xxiii. 16, 17). They are not to be given up, but allowed to dwell unmolested wherever they will. The law is stamped with no indubitable marks of Mosaic origin. If fitness of political and moral relationships is to be the criterion, it might be adjusted to almost any age of the world, from B.C. 1800 to the present time. If a theory of interpolations is to be allowed free play, there is many a period of Israelitish history subsequent to Moses when it might have been fitly interjected among the laws of the Pentateuch.

But why may it not be Mosaic, as it claims? It breathes his spirit. It is most apposite to the circumstances of Israel, as themselves fugitives from Egypt. It harmonizes well, too, with the oft-repeated reference to the former thralldom. And, happily, the monuments furnish us with positive evidence that such a law would at least be no anachronism at the time of the exodus. In an extant treaty between Rameses II. and the king of the Hittites, one article relates to this very matter of the mutual exchange of fugitive servants. That Moses was acquainted with this fact, and intentionally forbade what it as positively required, we need not assert. Enough that in this case the science of

¹ We find a similar, if a less marked, change of feeling with respect to Moab indicated in the later times. The story of Ruth the Moabitess was probably written not long after the death of David. The scenes it described occurred a full hundred years earlier (Ruth i. 1). And, although the history represents this people as more or less inimical to Israel or Judah down to the latest periods, still the spirit of the Book of Ruth is clearly reflected in the great prophet of King Josiah's day, who, after predicting their overthrow, declares: "Yet will I bring again the captivity of Moab in the latter days, saith the Lord" (xlviii. 47, cf. xlix. 6, 7, 18).

archæology comes promptly forward to set a bound to the literary fancies that are so inclined to run riot among these ancient records.¹

Of peculiar historic as well as moral interest is the Deuteronomic *law of divorce* (xxiv. 1-4). The form in which it is found, the character of much of the legislation with which it is associated, as well as the very nature of the case, serve of themselves greatly to weaken the force of the objection that it is too developed a law for the period of the exodus. Were no weight to be allowed to the statement in Genesis (ii. 21-24) for the genuineness of which our Lord seems to vouch (Matt. xix. 4, 5, 8), that monogamy was the original and designed relationship of husband and wife, it might be expected that the relation of the sexes would be one of the first and principal respects in which a perverted nature would manifest itself. And we find accordingly that cognizance is taken of it in what purports to be the earliest history and the earliest laws (cf. history of Abraham and the seventh commandment).

The regulation now before us, in fact, might be regarded as little more than a specification under the seventh commandment. It is remarkable alike for its concessive and its restrictive character. It assumes the prevalence of divorce—a fact also recognized in a number of other laws of this and the Levitical code (Lev. xxi. 7; Deut. xxii. 19, 29). It assumes that it was carried on with some degree of formality. And such a custom, with the form it took of giving a “bill of divorcement,” our law does not forbid; neither does it command it. Herein our Lord corrected the Pharisees’ false quotation of the Pentateuch, changing their “Why did Moses command?” into “Moses suffered.”

¹ See *Records of the Past*, iv. p. 31 f.

In its restrictions, on the other hand, the law assumes the sacredness of the marital tie and provides against an obvious tendency to break and renew it at will. Its sole prohibition, however, is of the remarriage of divorced persons after a second marriage had been entered upon by the former wife. This, as the words "after that she has been defiled" (cf. Num. v. 20) indicate, it looked upon as a form of adultery and not to be tolerated.

The law tends directly to the preservation of the original tie; and, in case it is severed, plainly encourages a single life in view of a possible later reunion. It does not rise to the plane of Malachi (ii. 13-16), who declares that God "hates putting away." But neither, on the other hand, does it misrepresent a Moses of the exodus, or go beyond what might have been expected of a legislation that followed and flowed out of the ten commandments.¹

Punishment by flogging (Deut. xxv. 1-3, seems to have been resorted to in Israel chiefly for gross offences against sexual morality (Lev. xix. 20; Deut. xxii. 18). The spirit of the Deuteronomic law respecting it is thoroughly national in its recognition of the Israelitic election and brotherhood. At the same time the mode of inflicting the punishment by making the offender lie flat upon his face is thoroughly Egyptian and positively out of harmony with the later rabbinical practice.²

Levirate marriage, legally sanctioned first in Deuteronomy (xxv. 5-10), had no doubt prevailed in its main

¹ The last remark is fully supported by what is known from the monuments of ancient Babylonian customs. If a man would separate from his wife, who had not been untrue to him, he was obliged to pay her a sum of money so large that very few could have availed themselves of the legal right. Cf. Hommel, *ibid.* p. 417.

² See *The Criminal Code of the Jews according to the Talmud, Massecheth Synhedrin*, by Benny. Lond. 1880, p. 122 f.

features from the earliest times. In the narrative of Judah's sin with his daughter-in-law (Gen. xxxviii.), assigned by critics to the document JE, we find the practice already in force to the extent that any breach of it is regarded as a serious crime. Accordingly, the Levitical regulation (Lev. xviii. 16) forbidding marriage with a deceased brother's widow is obviously to be limited to cases where there were children, as also the Jews of our Lord's time understood it.¹

Not only is our law in its place in the age of Moses with respect to that which goes before it, but also that which follows. The story of Ruth, whose scene is laid in the period of the judges, is evidently not a little modified by it. The detailed proceedings of Boaz, his singular care to follow a certain fixed order, his appeal to the regular legal tribunal of his city, and the motive he urges for his conduct, in which he uses almost the very language of our code, to "raise up the name of the dead upon his inheritance," give at least a color of probability to the theory that the law of Deuteronomy was already a recognized authority in Palestine.

The next independent ordinance of our code *prescribing punishment for a gross act of immodesty* on the part of a woman (xxv. 11, 12) offers no internal characteristics by which its age might be even approximately fixed, unless it be the form of the punishment. The offending hand was to be cut off. It is the only instance in the Pentateuch where mutilation is directly enjoined. So unusual and severe a retribution for such an act would scarcely have been thought of in the later time.

The *commission for the destruction of Amalek*, found

¹ *Versus* Riehm, *Gesetzgebung*, etc. p. 68.

in Deuteronomy (xxv. 17-19), there can be little doubt, refers directly to Exodus xvii. as its basis and original. An entire clause of the Hebrew, and the most essential one, is repeated word for word. The appeal, moreover, is made in a way to indicate an event still fresh in remembrance: "Remember¹ that which Amalek did to thee in the way as ye came out of Egypt." Still another side-light appears in an allusion to the present circumstances of Israel: "So it shall come to pass that when the Lord thy God hath given thee rest from all thine enemies round about, in the land which the Lord thy God is giving thee to possess as an inheritance, thou shalt wipe out the remembrance of Amalek from under heaven; forget it not."

If now, on the other hand, we follow the biblical history of the relations of Israel to Amalek, subsequent to this supposed period of the exodus, we shall see how impossible and absurd it would have been for such directions to be seriously promulgated as late as the reign of Josiah or even that of Solomon. After their first defeat in a sharply contested battle with Joshua at Rephidim (Ex. xvii. 8-16), we find them joining the Canaanites in a successful attack on Israel at Hormah (Num. xiv. 43-45). Later, Balaam, in his prophecy, for some reason not clearly known, hails them as the "first of the nations," but predicts their total overthrow (Num. xxiv. 20).

Another hundred years follow, and, as allies of the Ammonites and Moabites, they make a partially successful foray upon the coasts of Israel (Judges iii. 13). Then Gideon successfully warred with them. But it was not till the days of Israel's first king that the Pentateuch commission really began to be executed. In

¹ The infin. abs., like the emphatic imperative in Greek, Gesen. § 131, 4, b., is used.

two great campaigns Saul broke their strength, wasted their land, and put to death their king (1 Sam. xiv. 48; xv. 2-33).

The entire history of this war is pervaded by the spirit of the ancient code. Samuel's words to the king are: "Thus saith Jehovah of hosts: 'I am punishing (visiting judicially, פָקַדְתִּי) that which Amalek did to Israel. . . . Now go and cut off Amalek and utterly destroy all that he has'" (Sam. xv. 2, 3). And thoroughly as Saul did his work, it did not satisfy the terms of his commission. David dealt the hostile remnant a heavy blow after their capture of Ziklag, and in Hezekiah's time, still a century before the date assigned by some to the Deuteronomic code, so reduced and feeble had they become that five hundred Simeonites are able to complete their overthrow and extinction (1 Chron. iv. 43). After this time the name of Amalek disappears from history.

Our code is brought to a fitting close by a peculiar formula of acknowledgment and thanksgiving. It is professedly given to be used immediately subsequent to the conquest and quiet occupation of the promised land. Critics are not satisfied with this account which the document gives of itself, and see in its strong liturgical cast positive marks of a later day. Kleinert, however, among others, takes exception to this opinion as being unworthy of an age in which the knowledge of the Vedas has ceased to be a monopoly.¹ It may be added that such an objection is unworthy of an age that has brought to light the stores of information contained on Egyptian and Assyrian monuments.

This one simple liturgical ceremonial of Deuteronomy we are able, in fact, to match with many far more elabo-

¹ *Das Deuteronomium*, p. 104.

rate ones, in different tongues, that date from even an earlier period.¹ The wonder is, indeed, not that we have this one simple, prescribed formula of thanksgiving for the individual Israelite in his periodical visits to the central sanctuary, but that, in all the biblical literature before the exile, it stands so much alone. We have really nothing of a precisely similar character with which to compare it. And in view of the consideration that prayer, in some form, must date back to the beginnings of human history, it would seem the height of captiousness to characterize the ceremonial before us as an anachronism in the age of Moses.²

Such, now, are the independent laws of Deuteronomy, the primary and essential elements, as we may suppose, of this remarkable code. And such are a few of the more patent internal characteristics by which its age as a whole, and in its several parts, might be approximately inferred. That they are demonstrative need not be held; that, however, they show an overwhelming weight of probability in favor of Mosaic origin throughout cannot well be denied. Such an origin, in fact, is directly or implicitly claimed by the great majority of the statutes brought under review, and especially by those that are of chief importance. If it be denied in the case of the rest, is it too much to demand that ade-

¹ See especially an inscription from the tomb of Beni-Hassan, of the 12th Egyptian dynasty, in Warrington's *When was the Pentateuch Written?* p. 18 f.; also the prayer of Menkaura to Osiris, dating as far back as the 5th dynasty (Wilson's *The Egypt of the Past*, Lond. 1881, p. 93), and the philosophical precepts of Ptah-hotep (*ibid.* p. 107 f.), computed to be five thousand years old; and cf. Rawlinson, *The Religions of the Ancient World*, p. 60 f., and 24, where he says of the religion of ancient Egypt that its "worship was conducted chiefly by means of rhythmic litanies or hymns, in which prayer and praise were blended, the latter predominating." For still other specimens of this liturgical worship see *Records of the Past*, vol. ii. pp. 105, 134; vol. iv. pp. 99-104; vol. vi. pp. 99-101; vol. viii. pp. 131-134.

² The fact that the first-fruits are to be brought in the hands in a basket forestalls any objection that might arise on the ground that we have here prescribed a different disposition of the first-fruits from that enjoined in another place (xviii. 4; cf. Num. xviii. 12 f.).

quate reasons be given for wrenching them from the ancient mould in which we find them imbedded?¹

Mosaic claims, we are well aware, are often summarily dealt with in these days; but sometimes perhaps without sufficiently pondering the consequences. The alternative here, at least, does not lack in startling effects. If not Moses, then some one who would be thought to be Moses, or to write in the spirit of Moses. In either case, an antique flavor, Mosaic sanction is wanted. But why? If the critical theories prevailing in many quarters be adopted, there was no Moses who was worthy of such pains. And why, especially, such an excess of Mosaic coloring in a purely legal document, so that it might almost be thought that the laws were a conceit to magnify the half-mythical hero, instead of the name of Moses being used to give weight to the laws?

If not Moses, we ask again, then who? Some king of Judah or Israel? The history furnishes no example of a royal legislator; enough, of those who broke and trampled upon the laws of their fathers. Possibly, some prophet then? Which prophet? His modesty in concealing his name and adopting as pseudonym that of the leader of the exodus is only equaled by the way in which he introduces the subject of prophecy in his work, as incidental to a law regulating magical arts. But why not a priest, possibly Hilkiah himself, who first introduces our code to the attention of his king?

¹ So, too, Bleek, in a similar connection (*Einleitung in das Alte Testament*. Vierte Auflage, bearbeitet von J. Wellhausen, Berlin, 1878, p. 35): "Wir sehen also, wie ein bedeutender Theil der Gesetze und Anordnungen des Pentateuchs, sowohl dem Inhalte als der Form nach, dem Mosaischen Zeitalter angehören muss. Da wir nun als ein feststehendes sicheres Ergebniss gefunden haben, dass so bedeutende Theile des Gesetzbuches von Moses herrühren, dass also auf jeden Fall das Wesentlichste der darin enthaltenen Gesetzgebung ihm angehört, so sind wir nicht berechtigt, ihm einzelne der sich darin findenden und auf ihn zurückgeführten gesetzlichen Anordnungen abzusprechen, wenn sie nicht bestimmte Spuren eines abweichenden Characters und einer späteren Zeit an sich tragen."

Critics are by no means agreed among themselves whether the code is of priestly or prophetic origin ; it is too little pronounced in either direction. Priestly, in any decisive features, it is far enough from being ; quite the reverse, if its uniform point of view be taken account of.

The point of view from beginning to end is conspicuously that of a tender father of his people, emphatically Mosaic, in short, and nothing else. That it is genuine, and not assumed for effect, the latest results of biblical archæology unite with the best results of literary criticism in strongly confirming.¹

¹The reasoning employed in this paper to show that the independent legislation of Deuteronomy is Mosaic bears with equal force against the theory that it has undergone any special revision in a period subsequent to Moses. We find neither in form, spirit, nor language any valid evidence whatever of such revision in the series of laws we have passed under review.

V.

LAWS REPEATED AND MODIFIED IN DEUTERONOMY.

IT is absolutely essential to the scheme proposed by Wellhausen for the reconstruction of the Pentateuch that the code of Deuteronomy be found, or be made, to antedate that of the middle books. To talk about the exile as the period for the elaboration and publication of the latter on any other hypothesis would be the height of absurdity. If it can be shown, accordingly, by an actual comparison of the laws of the two codes with one another and a minute examination of each law by itself, using even such tests as our critics propose, that there is not only no necessity for such a transposition of the codes, but no justification for it, it must be a fatal blow at the hypothesis. Wellhausen's supposed strong position would be completely turned. He would be exposed to a raking fire on both flanks which it would be impossible for him to endure.

I have already pointed out in my second paper that such critics as Ewald and Bleek among the elders, and Nöldeke and Schrader among those of to-day, have never abandoned the ground that the Deuteronomic code follows and supplements the others. And of Dillmann it cannot be said that this is not his position. He is far enough from accepting the conclusions of Wellhausen, though hesitating with respect to the relative order of certain collections of laws. Here, then, is a nucleus of

scholars and reputable critics that critics and scholars might rally to, in an exigency, with considerable confidence. Here is a notable defection from that wide movement to revolutionize Jewish history and put Ezra in the place of Moses which beginning with Vatke and Reuss has culminated in Graf, Kuenen, and Wellhausen. But, fortunately, we are not looking for a nucleus to rally to. It has not come as yet to the question of a forlorn hope. So far this is simply a battle of theories. The essential facts remain what they always have been. All parties will be compelled at last to return to them. It is no question of great names, nor of many names. It is a question of the dispassionate weighing of evidence, for which an Englishman or an American is every whit as capable as a German or a Frenchman; and a man of good sense and sound judgment should count, in general, for as much as the university professor.

I have shown in the third paper what appears to me to be the bearing of the facts, comparing code with code, as it respects some of the most fundamental assumptions of our critics. The facts do not, on any fair interpretation of them, support their theory respecting the Israelitish cultus: the place and form of worship, the festivals, the priesthood and its maintenance; that is, that these matters were a product of slow evolution rather than of revelation, that they were *grown* in Palestine and by the rivers of Babylon, rather than *given* at Sinai and in the Plains of Moab. Quite the contrary. The facts when allowed to speak, untrammelled and unforced, utter a unanimous and an emphatic no—a no of protest, and sometimes of repugnance, for the whole strange scheme which they have been used to substantiate.

In my fourth paper attention has been given exclusively to such laws as are peculiar to Deuteronomy. They have been subjected, each by itself, to a rigid and, as I believe, unpartisan examination. So far as they had anything communicable on the subject in hand, their response was evidently without reluctance and without reserve. And nearly all had something to communicate. With simplicity and directness they uniformly bore testimony, in fact, to an origin in the exodus period. Counter-evidence there was none distinguishable.

And now, before proceeding to collate the testimony of the remaining laws of Deuteronomy, let attention be directed, for a moment, to a marked characteristic of all the laws of this book as well as the historical matter with which they are associated. I refer to the intellectual and moral stage of development which they presuppose and demand *in the people* whose laws they are. It is clearly a people who are acquainted with law and accustomed to its restraints. Moreover, they seem to be familiar with laws of this peculiar sort, where the civil is nowhere sharply distinguished from the religious: with a state that is a church and a church that is a state, the two institutions being merged in one as they never have been so completely since. That is the impression, unmistakably, which laws and history alike make upon us. Let them explain it, who would make this the first written code for Israel and who find themselves able to dispense with the Pentateuch as a record of facts.

This can be no horde of savages who are here addressed. It is to be taken for granted that they are spoken to in a style, and reasoned with in a spirit, that are adapted to their capacity. This book with its laws

reflects, in some good degree, as our critics themselves must admit, the national attainment at the period when it originated. Then, it was a most extraordinary attainment, to which the history of the period offers no parallel! We find religious beliefs, habits of thought respecting social matters, depth of feeling, a consciousness apparently responsive to the highest motives, an accepted ethical system not yet antiquated, that without some such training as we are told Israel actually had after the escape from Egypt would be unaccountable. If, in short, you take away the laws and the history that precede Deuteronomy in the Pentateuch, you take away the very thing and the only thing that can make Deuteronomy intelligible to us.¹

¹This matter was so well stated by Isaac Taylor (*The Spirit of Hebrew Poetry*, New York, 1862, pp. 169 ff.) nearly a quarter of a century ago, that it will bear repetition somewhat at length. "There is much more in the last book of the Pentateuch than in the preceding four — regarded as a ground and moral condition of the Hebrew people of that time; for it consists of a series of popular addresses, orally delivered; and these, by the calm majesty of the style throughout, by the remonstrant tone, by innumerable allusions to events and usages, carry with them a demonstration of historic verity which no ingenuous and cultured mind will fail to admit. . . . The Israelite of that time was such that to him might be propounded, intelligently, the sublime theology and the rightful and truthful ethics of the Book of Deuteronomy; which have held their place, unrivaled, as Institutes of Religion, from age to age. What is our alternative on this ground? This book is either 'from heaven,' in its own sense, or it is from man. If from heaven, then a great controversy reaches its conclusion, by admission of the opponent; but if from man, then the people among whom this theology, and these ethical principles, and these institutions spontaneously arose, and to whose actual condition they were adapted, were a people far advanced beyond any other, even of later times, in their religious conceptions, in their moral consciousness, in their openness to remonstrance, and their sensibility toward some of the most refined emotions of domestic and social life. . . . Our question is, What were these people, or *what had they become* in consequence of their Egyptian sojourn? what in consequence of the discipline of the desert? What, upon a new generation, had been the influence of the Sinaitic law, and of tabernacle worship, and of the tribune administration of social order? Prospective as were many of the Mosaic injunctions, social and ecclesiastical, the theology was ripe and entire, from the first; so were the ethical principles, and so was the worship. The generation which then reached maturity along with all of younger age, from infancy upward, were *the product* of this religious and social training. . . . The Mosaic homilies are available as indirect, yet conclusive, evidence of a true theistic habitude of mind among the people of the Exodus. . . . They must have been a people with whom there had been matured a settled usage of theistic terms, devout habitudes, and withal a diffused warmth of those social sentiments which are consequent upon, and which are the proper results of, an expansion of the domestic affections."

But our review of the laws of Deuteronomy is not yet complete. There are still others among them, like those treated in the third paper, which relate to topics common to the legislation of the middle books. Different laws, or a different recension of laws on the same theme! What an opportunity is offered for the discovery of stratification and marks of epochs, if any such exist! Which is the original form?

I have put at the head of this paper the result reached after careful investigation. The laws of Deuteronomy appear but as an authoritative restatement, and appropriate modification, of those that immediately precede them in the Pentateuch. The Mosaic tradition that from the first has covered and hallowed both is abundantly confirmed. How this conclusion has been reached I now proceed to show.

Destruction of Idols and of Heathen Shrines in Canaan.—The code of laws found in Deuteronomy is consistently introduced (xii. 1) with the words: "These are the statutes and judgments which ye shall observe and keep in the land which the Lord God of thy fathers giveth thee as a possession." The first requirement is no less so (vs. 2-4): "Thou shalt utterly destroy all places where the nations whom thou drivest out serve their gods," etc. It is something to which attention had been already repeatedly called in the preliminary history (iv. 15-19; vii. 5, 25, 26), and to which the present code also, under another form, reverts in this and a subsequent chapter (xii. 29, 30; xx. 18). Such a requirement, moreover, was naturally to be expected when the essential character of the Israelitic religion is considered as contrasted with that of the Canaanites. That it is found in all phases of the Pentateuch legislation will not surprise us when we reflect on the

extreme difficulties that, notwithstanding, always attended its execution, even down to the exile (Judges ii. 2; viii. 24-27; xviii. 11 f.; 1 Kings xii. 25 f.).

The Deuteronomic form is somewhat more pictorial and detailed, but it is no more emphatic, than that of the Book of the Covenant (Ex. xxiii. 24; cf. vs. 33; xxxiv. 12-17), or that of the middle books (Num. xxxiii. 51, 52), and covers in general the same ground. We have alone in Deuteronomy and Exodus an allusion to the peculiar image of Astarte, falsely rendered "groves" in the common version, and in Numbers certain forms of idolatry are mentioned which do not appear in the other books. But as the former does not indicate a kind of false religion prevalent only in the earlier times, so the latter just as little are evidence of a later origin for the literature containing them.

The "Bamoth" of Numbers (cf. Lev. xxvi. 30) are no doubt included in the more circumstantial description of Deuteronomy: "All the places wherein the nations . . . served their gods, upon the high mountains and upon the hills." And while the word *mashkith* (Lev. xxvi. 1) is not unknown to other biblical books (Prov. xviii. 11; xxv. 11), the thought expressed by it here in connection with "stone," whether it be that of an engraved stone or of an image made of stone, can only suggest the rudest forms of idolatry, which would hardly have been first introduced at the time of the exile. Here, then, while we find the three codes differing, it is without disharmony. Each has its peculiar characteristics, and gives in its own way the one charge against the idolatry of Canaan; but evidences of conflict or of widely diverse circumstances of time and place there are none.

The Worship of Moloch. — Moloch (called also

Molech, Milcom, Malcom, in the Bible) was a fire-god, allied to Baal, and the tutelary divinity of the Ammonites. This people, as such, are first mentioned in Deuteronomy (ii. 20; cf. Gen. xix. 38), and continued to exist as a distinct nation down to the time of the Maccabees (1 Macc. v. 6). In just what the worship of Moloch consisted is not altogether clear. The weight of authority inclines to the view that children, having first been put to death, were actually consumed by fire in his honor.¹

Now, of the several codes, that of Exodus has nothing to say of this special form of idolatry. Deuteronomy refers to it twice (xii. 31; xviii. 10): in the first instance, however, only in the form of an allusion to a horrible and apparently well-known custom of the heathen, without prohibiting it. In the second case, it is prohibited, but in the most general terms, and as subordinate to another and the principal matter. In neither case is the name of the god, which must have been familiar (cf. Amos v. 26), so much as mentioned.

In the middle books, on the other hand (Lev. xviii. 21; xx. 2-5), the law appears in definite shape, and the name of the god is made particularly prominent, being found in both passages, and three times repeated in the longer one. Under such circumstances, it cannot be doubtful which form of the law is original; or better, which is the law, and which the warning that is based upon it. That of Leviticus is presupposed in Deuteronomy. As a statute, the latter would be quite too indefinite without the other; in fact, it would be unintelligible.

It may be noted also, in passing, that we have here in Leviticus itself an example of the repetition of a

¹ Cf. Dillmann, *Com.*, *in loco*; and Schrader, *s.v.*, in Riehm's *Handwörterbuch*.

law in an enlarged form — a proceeding which the later critics find so difficult to understand, in the case of separate books of the Pentateuch, on the supposition that they all originated in the Mosaic period. It is assumed that this Levitical legislation belongs to one, and that a late, period. Why, then, this iteration within the space of two chapters?

It is not to be overlooked that with the Hebrew there was no stronger form of emphasis than just such a repetition. In this case, therefore, as in others, it was with them no literary defect to repeat a law which was to be modified or amended, or to repeat a law without essential change to which special importance was attached; its importance was thereby only the more enhanced.

We find moreover, in one of these passages (Lev. xx. 4, 5), the possibility intimated in the very law itself that it might not be executed, and provision made for such a contingency. With what propriety, then, can the failure to execute a law of the Pentateuch be considered as conclusive evidence of the non-existence of that law?

Still further, there is abundant evidence that the present law, whether first promulgated in Moses' time or in Josiah's time, was at no time fully obeyed, up to the period of the captivity, and even later (1 Kings xi. 5; 2 Kings iii. 27; xvi. 3; Isa. xxx. 33; Jer. vii. 31; Zeph. i. 5).

Destruction of Canaanitish Cities. — With a regulation peculiar to itself concerning other cities on which war should be made (xx. 10-15), the Deuteronomic code combines, also, rules of warfare to be observed in the case of the cities of Canaan (xiii. 13-19; xx. 15-18, 19, 20; cf. vii. 1-6). In this particular, however, it had

been anticipated by the previous books (Ex. xxiii. 23, 24, 27-33; xxxiv. 12-16; Num. xxxiii. 50-56), and while repeating for substance the injunctions there laid down, it *directly refers to them* in the words: "As the Lord thy God hath commanded thee" (Deut. xx. 18). It might be claimed, it is true, that this citation is only of the Book of the Covenant. But there is nothing gained by excluding the passage in Numbers. It contains nothing new or peculiar of any sort by which a later origin could be predicated for it.

The Deuteronomic law, moreover, plainly distinguishes in its introduction between a new and an old element in itself. "Thus shalt thou do unto all the cities very far off from thee, which are not . . . of these nations here. [Note the correspondence with the supposed situation of Moses.] But of the cities of these peoples . . . thou shalt save alive nothing that breathes, . . . as the Lord thy God hath commanded thee" (vs. 15-17). The sweeping form of the command, too, agrees better with Numbers than with Exodus, where a gradual driving out is in view. "By little and little I will drive them out from before thee, until thou be increased and inherit the land" (Ex. xxiii. 30). And it may be remarked, incidentally, that this law, in any of its three forms, would be an anachronism in any period of Israelitish history subsequent to the time of David.

Forbidden Mourning Customs. — In Deut. xiv. 1, 2, we find heathenish mourning customs forbidden, such as shaving the head and cutting the flesh. The motive assigned is that Israel is a holy people to the Lord their God, and has been chosen by him for a peculiar possession from all the peoples of the earth. Parallel passages are alone found in Leviticus (xix. 27, 28; xxi. 5,

the latter for the priests), and they show no essential differences, certainly none that indicate a later origin. There is nothing, indeed, to stand in the way of the common view that the Deuteronomic law here is a repetition of the Levitical and that both belong to the earliest period. On the contrary, it is strongly supported by the marked hortatory and rhetorical character of the former, nicely harmonizing, as it does, with the supposed circumstances of its promulgation.

We find, moreover, in this connection a striking disproof of the position that the code of Deuteronomy originated in Josiah's time. The prophet Jeremiah began his work in the eleventh year of this king's reign. And yet we discover numerous passages (vii. 29; xvi. 6; xli. 5; xlvii. 5; xlviii. 37) in his prophecy where the mourning customs—here so emphatically forbidden—are recognized as fully in vogue, and the prophet's attitude toward them is by no means such as it must necessarily have been if they had been the product of his own age, or, much more (as some suppose), of his own pen. It is simply one instance, of many, where a law of the Pentateuch had so far fallen into disuse that even a true prophet could seem to act in almost total unconsciousness of it.

Food as Clean and Unclean.—The long passage, Deut. xiv. 3–20, treats of the various kinds of food which the Israelites were forbidden or allowed to eat, and there is every reason for believing that it is based on the still longer passage, Lev. xi. 1–21, 22–43, where alone in the Pentateuch, outside of Deuteronomy, this most important topic of the ceremonial law is dealt with. Such a conclusion is forced upon us not alone by the minute dependence of the Deuteronomic form of the law, in the matter of arrangement and language,

on that of Leviticus, but also, and especially, by its noteworthy variations. For example, Deuteronomy, instead of saying with Leviticus, simply, that all quadrupeds that divide the hoof and chew the cud may be used as food, proceeds to specify, as well it might on the entrance into Canaan, a number of varieties under this head.

Then, secondly, while faithfully enumerating the three classes — quadrupeds, fishes, and fowls — of Leviticus prohibited as food, it omits to mention a fourth class, reptiles, eight species of which are forbidden in that code. Still further, it passes over in silence a list of insects, including locusts, that in Leviticus are allowed as food. Now, both the additions and omissions are significant, being precisely such as might most naturally have been expected under the circumstances.

In Canaan, into which the sons of Israel are just now passing, the quadrupeds particularly named in Deuteronomy are those which would be their main dependence for food. On the other hand, the reptiles prohibited in Leviticus, but passed over in Deuteronomy, are such as in their new home they would have neither occasion nor desire to eat. While the several varieties of locusts allowed to be eaten by the Levitical legislation (xi. 22, 23), and the following details (vs. 24-43), are apparently left unnoticed in Deuteronomy for the reason given by Riehm,¹ because it contents itself with calling attention, to this extent, to the express provisions of the old law as found in Leviticus. Indeed, the enlargement in Leviticus is devoted merely to an explanation of what is meant by "every creeping thing that flieth," forbidden in both codes. At least the practice of John

¹ *Gesetzgebung Moses*, etc. p. 56.

the Baptist (Matt. iii. 4) shows that the omission in Deuteronomy to cite locusts as permitted food was not understood as an interdiction of them.¹

Animals Eaten to be Properly Slaughtered. — With the law just noticed there fitly connects itself this one forbidding as food the flesh of animals accidentally killed or dying a natural death. It is really the old Noachian precept (Gen. ix. 4) in another form, which forbade eating the blood with the flesh (cf. Deut. xii. 16, 24; xv. 23), and which was held by the Jews of later times to be binding on all proselytes (cf. Acts xv. 20, 29; xxi. 25). The present enactment is found in each of the three codes, but with considerable difference of detail. The differences will be best displayed by placing the several codes side by side.

Ex. xxii. 30.	Lev. xvii. 15.	Deut. xiv. 21.
"Flesh <i>torn in the field</i> ye shall not eat; ye shall cast it to the dogs."	"Every soul that eats of a <i>carcase</i> or what was <i>torn of wild beasts</i> , be he citizen or stranger, . . . shall — be unclean until the evening."	"Ye shall not eat of a <i>carcase: to the stranger</i> who is in thy gates <i>thou shalt give it</i> , that he may eat it; or thou mayest sell it to the <i>foreigner</i> ."

One thing strikes us at once on looking at these laws, and is very instructive as it respects the form of the Pentateuch legislation as a whole, that, while the same general principle underlies them all, there has not been

¹ But this not all. An evident textual variation already alluded to (see p. 20 above) sets almost beyond doubt the dependence of the Deuteronomic form of the law on the other. In the Levitical code (vs. 14), according to the common version, the following species of unclean birds are named: "the vulture and the kite, after its kind." In Deuteronomy (vs. 13) these become: "And the glede, and the kite, and the vulture, after its kind." If, now, we place the original words of both codes, as they appear in the present text, side by side, we shall see how the discrepancy was possible and most likely arose. A copyist read in Deuteronomy *r* for *d*, a most natural and not infrequent confusion of letters; and then he added the word for vulture in its phonetic form, since being found in Leviticus, this species could not be properly omitted here. The Targum of Deuteronomy and the Vulgate agree, indeed, with the present text. But the Samaritan Pentateuch and the LXX., as well as four Hebrews mss. cited by Kennicott, read in harmony with Leviticus, "the vulture," as the first species, instead of "the glede," and it seems reasonably certain that this was the original text of both codes.

the least apparent effort made to bring them into a merely formal, literary harmony. They seem to have been confidently entrusted, just as they are, not only to the good sense, but to the good will, of contemporaries and of posterity. Their very diversity of form, like the costumes of strange peoples mingled together in the same city, often enables us the better to localize them and assign them their true place in the history of Israel.

In the present case there is nothing strange in the fact that the more technical and concise Levitical code, followed here by Deuteronomy, should use the term "carcase" instead of the circumlocution of Exodus, or that it should otherwise repeat, as not overlooking it, the prohibition in its original form. Again, it is not singular, but quite in keeping with the circumstances, that the law in its Levitical shape, as applicable especially to life in camp, should put both citizens and strangers under the same rule; while the Deuteronomic, looking toward changed conditions in Palestine, takes on a considerably milder form as it respects the latter. In fact, the permission to sell the carcasses of fallen animals to "foreigners" would have been without special pertinence during the forty years' wanderings. Such a class was then almost entirely wanting; while the "stranger," that is, sojourner and possible proselyte, belonging to a wholly different category, was necessarily subjected, as we have seen, to Israelitish laws.

Moreover, it is natural, and fully answers to supposed historical relations, that in Leviticus, the law for the priest alone excepted (xxii. 8), there should be a letting up in the severity of the restrictions imposed in the matter before us, with clear reference again to the difficulty of obtaining food of any sort during the long

sojourn in the wilderness ; while in both the earliest and latest forms of the law, no such contingency being directly in view, the prohibition is absolute. For it is clear that mere ceremonial uncleanness, from which one might be freed by simple ablutions in water, and lasting only until evening, could not have been regarded as a complete interdiction. And, finally, it is no surprise to find the more developed form of the law in Deuteronomy, rather than Exodus. It is true that both alike are of the nature of prohibitions, but it is only this one of all the codes that makes the distinction between Israelites and strangers. This shows a growth in the sentiment that the people of God were to be a holy people.

The Sabbatic Year. — The term "Sabbatic Year" is found only in Leviticus ; but there is no doubt that the same thing is referred to in all the three constituent parts of the legislation (Ex. xxiii. 9-11 ; Lev. xxv. 1-7 ; Deut. xv. 1-11). That of Exodus could not, indeed, be properly understood, might be open to a wholly false interpretation, without the limitations offered by the code of the middle books. That of Deuteronomy is no less dependent, being really a result of experience in the practical workings of the law. For the temporary release of a poor debtor had come to be demanded from the circumstance that during the Sabbatic year he was naturally less able to meet any indebtedness which he might have incurred.

To say, with some, that the code in Exodus recognizes no absolute period of rest of this sort for the whole people and land at once is to overlook the context (vs. 12), where the obligatory rest of the Sabbath directly appears as the norm of the new regulation. It is true that the Levitical code positively enjoins rest

on the seventh year, while that of Exodus does so only constructively; nevertheless, it does it. The command to sow the fields six years, taken in connection with the fact that one might not harvest crops on the seventh year, might be considered an indirect, but it is no less a real, injunction to desist from agricultural pursuits during that year.

As thus considered, the three forms of the law nicely fit together, like so many mutually dependent pieces of a mechanism. To substitute one for the other, or to regard them as representing a slow development, the form in Leviticus being the final outcome, is clearly impossible. The close relation of Deuteronomy to Exodus here is shown by the unusual word, rendered "let lie fallow," occurring in both, and in the entire Pentateuch only found in these sections; while to the code of Leviticus it holds, as we have already intimated, the relevancy of a by-law, intended to guard against a possible evil consequence of the original enactment.

It may be observed, moreover, incidentally, that the Deuteronomic tithe enjoined for every third year (xiv. 28, 29) seems to presuppose the institution of the Sabbatic year as such. Otherwise there would be needful a double system of reckoning: one on the basis of seven years with respect to the year of release, and one on the basis of three years with respect to the tithe. Now, the two exactly harmonize in the cycle of seven years, the special tithe falling on the third and sixth, and there being none at all on the seventh, year.

Release of Hebrew Servants.—Associated with the Sabbatic year and the law concerning the release of debtors we find an enactment relating to the discharge of Hebrew servants. As a rule such service was in

repayment of debts, the meeting of which was otherwise impossible. Each of the three codes takes cognizance of the matter, devoting to it nearly the same amount of space, but in other respects having many points of divergence, though all are within the bounds of perfect harmony (Ex. xxi. 2-6; Lev. xxv. 39-46; Deut. xv. 12-18). It is with these divergences that we have here principally to do.

Exodus, for example, speaks only of Hebrew men as servants; so, too, Leviticus. But Deuteronomy specifies also women of the nation, who, in a similar way and for a similar reason, may have sold themselves into bondage to their Hebrew brethren. The first code, again, enjoins that after six years of continuous service—having no direct reference, however, to the Sabbatic year—these bondmen are to go free. As they came, so are they to go; that is, without compensation from their masters. With this—excepting only a new period of release to be hereafter noted—Leviticus agrees. Deuteronomy, however, as in the former case, has an important addition. Exactly as they came they are not to go. They are to be set free, but not sent away empty. They are to be “loaded down” with gifts from the flock, the threshing-floor, and wine-press, in remembrance of the fact of a once common bondage in Egypt.

The first code, still further, commands that in case a Hebrew servant elects to remain permanently in the service of the Hebrew master, a contract to that effect may be made, slave and master appearing before the Lord (that is, the priest or judge who represented him), and the master there, against the post of the door, boring with an awl the ear of his slave as a symbol of his servitude. Of this Leviticus has nothing, another

limitation already hinted at, the year of jubilee, being in view. And Deuteronomy, properly enough from its new point of observation, changes it in so far as that it does not require, in the ceremony described, appearing "before the Lord." It might be performed, in the case of menservants and maidservants alike, at the owner's house. Now, thus far, excepting only the provision respecting the year of jubilee, whose relations to the present law remain to be considered, there is nothing that requires any disturbance of the relative position of the codes, as fixed by tradition and history. There is only the natural expansion in Deuteronomy which its whole spirit and the alleged circumstances of its origin might have led us to expect.

As yet, however, we have failed to notice a peculiarity of Leviticus besides its introduction of the year of jubilee, which, according to some, shows a development beyond the plane of Deuteronomy. It forbids in the most emphatic language treating the Hebrew brother as a slave (vs. 39, 42, 45). It is not for a moment to be forgotten that he is still a "brother of the children of Israel." I have called this a peculiarity of Leviticus. It is so *only in outward form*. The spirit of it appears just as clearly in Deuteronomy, and the form in which it is there clothed is not one whit less striking or impressive. He is to be enriched with presents on the ground of a common brotherhood and a former common thralldom in Egypt. The author of Deuteronomy, with the passage in Leviticus before his eyes, might, indeed, have consciously and deliberately chosen so to express himself, putting thus in the concrete and in the form of an illustration what is there abstractly enjoined.

But how is to be explained the provision of Leviticus

that a Hebrew servant is to remain with his master till the year of jubilee? Is it not a clear contradiction of that which speaks of a term of six years and of the so-called perpetual servitude of the other codes? By no means. It simply offers still another limitation to the principal injunction of the code, showing, in fact, *how it was related* to the year of jubilee. The observance of such a year had been independently enjoined (Lev. xxv.). It was to forestall possible conflict, not to precipitate it, that the matter is here treated. The law respecting six years of service is not repealed, but so far modified, as well as that of otherwise life-long servitude, as that both kinds of service should terminate with the year of jubilee.¹

To suppose that the Levitical code was meant to stand by itself, as a later form of the other two, is to be guilty of the absurdity of supposing that any one in that later period could be capable, in the face of his own appeal for brotherly consideration and leniency, of condemning a Hebrew servant, willing or not, to serve out the whole period, long or short, that preceded the year of jubilee. Hence the only reasonable conclusion is that these different forms of the law, as in other cases, were simply meant to supplement, and not to obstruct or supersede, one another.

Animal Sacrifices to be Faultless. — The Deuteronomic code (xvii. 1; cf. xv. 21) like the Levitical (xxii. 19-27) allows for sacrifice only such animals as are absolutely without blemish. The same general term is used in the original of both codes for blemish; but the Levitical alone gives anything like a detailed list of defects to be reckoned under that category. How

¹ The slave then received back his forfeited landed property, etc., and there was no longer any occasion for his being a slave.

either priest or layman could have determined what, in the eye of the law, constituted a blemish without some such guide as is furnished by the legislation of the middle books of the Pentateuch, it is not easy to see. Deuteronomy furnishes only a hint in that direction, and in its almost studied generalization seems clearly to presuppose information as obtainable from other sources. Malachi (i. 8) is the first of the prophets to refer definitely to the subject, and it is in such a way as to give anything but encouragement to the theory of a post-exilic origin of the law in Leviticus.

Oppression of the Poor and Strangers. — A series of enactments enjoining kind treatment of the poor and strangers appears in each of the several codes. All are of like tenor. That of Exodus (xxii. 21-24) treats of the stranger, the widow, and fatherless: to mishandle or afflict them is to expose one's self to the severest visitations of the divine judgments. Leviticus (xix. 13, 33, 34) and Deuteronomy alike (xxiv. 14, 15; cf. xvi. 19, 20) direct attention particularly to hired servants, whether citizens or strangers: their wages are to be promptly paid and they are to be in nowise oppressed. Both the latter codes are remarkable for the motives given for obedience. The former says (vs. 33): "The stranger that dwelleth with you shall be as one born among you; . . . for ye were strangers in the land of Egypt." The latter (vs. 15): "For he is poor, and setteth his heart upon it [the money due]; lest he cry against thee to the Lord, and it be a sin unto thee."

There is nothing here to show that the Levitical law is a later development, but rather the reverse. It alone of the three glances backward to the land of Egypt. Yet this must be looked upon as simply fortui-

tous. The three forms of the law are all from one period, and only serve to enforce by repetition and the urging of different incentives the same obligation of tenderness toward the weak and helpless.

Number of Witnesses in Capital Cases.—The Deuteronomic law relating to idolatry (xvii. 2-7; xiii. 1-19) is, in general, but an expansion of the brief regulation of the Book of the Covenant (Ex. xxii. 19). It has one important specification, however, in which it covers ground common with that of the middle books. In Numbers (xxxv. 30) it is forbidden to put to death one charged with murder on the testimony of a single witness; there must be witnesses. In Deuteronomy (xvii. 6; cf. xix. 15), on the other hand, the number of witnesses declared to be necessary in such cases is fixed expressly at two or three; and, still further, it is made binding on these witnesses, in the execution of the sentence, to raise their own hands first against the criminal.

Can it be considered in any sense probable that the legislation in Numbers originated after that of Deuteronomy, especially in view of the uniform Jewish practice, which was undoubtedly based on Deuteronomy (John viii. 17; Acts vii. 58; Heb. x. 28)? In my introduction to the Additions to Daniel¹ it is shown to be likely that the Book of Susanna had for its real object a reform in the method of conducting legal processes, and especially to correct abuses springing from the dominance of the principle that two witnesses were sufficient to convict of the most heinous offences.²

¹ *Old Testament Apocrypha*, New York, 1880, p. 447.

² The somewhat indefinite form of the law even in Deuteronomy would naturally lead to discussion among those so much given to it as the later rabbins. Besides it was a matter of life and death and it was to be expected that every possible point would be hotly contested. The question of priority, however, as between the two forms of the law, here turns, as it seems to me, not exclusively on later usage, but, also and especially, on the fact that

Magical Arts and Divination.—There was nothing more common among all the peoples of antiquity, including the inhabitants of Canaan and adjacent lands, than the practice of magic in some of its numerous forms. Ancient Egypt abounded in it, and the monuments of Assyria and Babylon show that these nations in their religious, social, and even political, life were no less under its influence. And as one of the most subtle and fascinating forms of idolatry, it was natural that the Mosaic law should take cognizance of it, and denounce the severest penalties against it. In this particular all the codes agree; there is not one of them that does not adjudge so gross a violation of its fundamental principles as worthy of death (Ex. xxii. 17; Lev. xix. 26, 31; xx. 6, 27; cf. Num. xxiii. 23; Deut. xviii. 9-14).

But there is a marked gradation in the fulness and emphasis with which the several books characterize this sin. Exodus speaks only of the female magician; Leviticus and Numbers of five other sorts; while Deuteronomy combines in its list all of them together under their technical names (using the masculine form, however), adds to them three other kinds not found in the

the Deuteronomic law is *the more complete*. It is true that in other instances, not a few indeed in this very paper, the fact of an undeveloped form of a law in Deuteronomy has been taken as presupposing and pointing to a prior more developed form to be found elsewhere, namely, in the middle books. Why may not then the brevity of the law in Numbers in this case presuppose *an older* and fully developed law in Deuteronomy? Because the cases are really very different. In the one, we are adjusting facts to the theory that the Deuteronomic code is a somewhat later repetition and supplementary popular form of that of the middle books. In the other case, to the theory that the laws of the middle books are a *much later, fully developed*, officially promulgated Priests' Code. In such a code it could *not* be expected that a law of this character, especially involving the functions of priests, would be found having the relation of this one to Deuteronomy. If it could be shown in the other cases mentioned that, notwithstanding the contrary averment of the history connected with the laws, the forms of the law found in Deuteronomy *accord better* with the hypothesis of a gradual development of such laws into those of the middle books, such a process of reasoning would not apply here where the more developed and precise form is found to be the one alleged to be earlier.

parallel accounts, and puts the sin on a level with the offering of human sacrifices. There is but one conclusion to be drawn from such a fact, and it is far enough from agreeing with that theory of gradual development for these laws, with Leviticus and Numbers at its crown, that has sprung up in our times.

The history of the matter as it appears in the Hebrew literature is quite as irreconcilable a factor in such a theory. Centuries previous to the time when, according to our critics, the code of Deuteronomy began to have force, during the reign of Israel's first king (1 Sam. xv. 23 ; xxviii. 7-9), we already find its severe penalties executed against this crime ; and long after the supposed post-exilian introduction of the Levitical legislation it still continues to flourish, and remains a prominent sin of the intractable people of the exodus down to the Christian era (Zech. x. 2 ; Mal. iii. 25).¹

Cities of Refuge. — Not less prevalent than superstition and idolatry among the peoples with whom Israel had to do was the immemorial practice of blood-revenge. The Shemitic races, it is well known, were particularly given to it, and are so to this day. To what terrible excesses it naturally led, since retaliation in its turn provoked retaliation, what wild feuds arose among families, which could only be suppressed by their total extermination, may readily be conceived ; in fact, is matter of history, sacred as well as profane. This terrible custom, now, the Mosaic laws aimed not to do away with, for it was founded in a natural and proper sentiment of justice, but to restrict and regulate in keeping with the spirit of all its institutions. Murder was a crime against society, indeed, but a greater crime

¹ Cf. Hamburger, *s.v.* "Zauberei" in *Reäl-Encyc. für Bibel und Talmud*

against God. He would avenge. The man-slayer should be his instrument, and no longer self-appointed and self-moved. At the same time there must be scrupulous care exercised. It was only the guilty who should suffer. Provision should be made not only that fathers should not be put to death for sons and sons for fathers (Deut. xxiv. 16), but to rescue the involuntary homicide himself from the hands of offended relatives while their "blood was hot." This was the real occasion for the cities of refuge.

The three codes present the matter much as we might expect them to do on the supposition that they appear in chronological order, and that all of them originated within the Mosaic period. The Book of the Covenant (Ex. xxi. 13) recognizes the necessity for a law on the subject, and announces that some place will be provided to which one accidentally taking the life of another may flee and be safe. In the fuller legislation of the Book of Numbers (xxxv. 1-38), in natural connection with instructions concerning the Levitical cities, such provision is duly made, and a sufficient number of conveniently situated asylums of this sort appointed. In Deuteronomy (iv. 41-43) we find Moses, in harmony with the law of the middle books, designating three cities of refuge on the eastern side of the Jordan; and subsequently, Joshua (Josh. xxi. 13, 21, 27) selecting the other three called for by the statutes on the western side.

The Deuteronomic code (xix. 1-13; cf. xxiv. 16), evidently presupposing what Moses is recorded as doing previously (iv. 41-43), is much of the nature of a commentary on the law in Numbers. It makes still more explicit by illustration what class of persons might find domicile within the refuge cities (vs. 4, 5); gives com-

prehensive, though brief, directions for rendering the cities easily accessible, and, what is more important of all for our investigations, adds the concession that, on certain conditions, three cities more, making nine in all, may be used for this purpose. The conditions are that the people prove obedient and faithful — which, unhappily, they do not — and their boundaries are ultimately enlarged to the extent promised to Abraham (Gen. xv. 18).

In this provision for additional cities found in Deuteronomy critics like Wellhausen profess to find a special stumbling-block. They do not see how it is possible that such a concession could have been made in Deuteronomy, if it be the latest form of the law, in the face of the allotment of but six cities for this purpose in Numbers. It is only, however, because they are unwilling to acknowledge that Moses was equally concerned in both codes. If it be granted, as it should be, that he was fully competent (always, of course, under divine direction) to modify, as circumstances might demand, his own earlier regulations, the difficulty at once disappears.

On the other hand, from their own point of view, we do not see how the difficulty is made any less serious by supposing that the legislation of Numbers, if it followed long after that of Deuteronomy, would venture so to counterwork established and ostensibly Mosaic institutions as to ordain that three of its six cities of refuge should be on the eastern side and three on the western side of the Jordan, when the Deuteronomic *code* (xix. 7-9), taken by itself, as it is assumed it should be, allows but three cities altogether for such a purpose, or six on the western side on conditions that were never actually complied with. No one can fail to

see that this horn of the dilemma is fully as embarrassing as the other.¹

Bearing False Witness. — In addition to the regulation already considered concerning the number of witnesses needful to establish capital offences, there is another in the Pentateuch relating to the bearing of false witness. Its first appearance is in the decalogue itself, and then again in the same Book of the Covenant (Ex. xxiii. 1, 3), forming what Ewald and others name a "pentade," that is, a law having five separate injunctions, all sustaining a relation more or less close with a central theme. The "pentade" here, however, is somewhat arbitrarily made up, and might be considerably enlarged by adding the prohibitions recorded or implied in vs. 6, 8, immediately following. The same topic is taken up in Leviticus (xix. 11, 15, 16), but in a very general way, covering in the main the same ground, but with no greater fulness, and much less definiteness, than Exodus.

It is not till we come to Deuteronomy (xix. 16, 21)

¹ A scholarly friend, whose life has been given to the critical study of the Old and New Testaments, sends me the following criticism on the view taken in this section: "I am not at all sure of your interpretation of the number of the cities of refuge. It depends upon the priority of Num. xxxv. to Deut. xix. Both were spoken 'in the plain of Moab' and must have been not far from one another in time. Now if we can suppose Deut. xix. 1-13 to have been spoken before the conquest of the transjordanic territory, all will be clear. Moses provides absolutely for three cities, and for three more in case of enlargement of territory. The territory on the east of Jordan was not intended, so to speak, to be conquered or divided among the tribes, and Moses consented reluctantly to its occupation by the two and a half tribes (see Num. xxxii.). Before this territory was conquered, three cities were likely to be enough. Afterward it was seen that they would be too distant and Moses (Deut. iv. 41-43) appointed the three cities on the east of the Jordan. Numbers xxxv., in appointing six cities, locates three on the east of Jordan, thus clearly including those of Deut. iv. The passage in Numbers was certainly after the conquest on the east, and so was Deut. iv. If we suppose Deut. xix. to have been before, it will be necessary to suppose that the two discourses were delivered in the reverse order from that in which they are recorded. I know of no objection to this, and there is an obvious reason why the longer exhortation founded on the law (which may have actually been divided into several discourses) should follow the shorter one on the history. I do not recall anything in this longer discourse inconsistent with this supposition. Deut. iv. 44-49, which is often considered as belonging with it, may quite as well be connected with the previous discourse."

that we find anything like detail. Here directions are given concerning what is to be done to test the matter whether a witness be true or false; and in case he is proved false, what penalty is to be visited upon him. The other two codes seem, certainly, to be before the legislator of Deuteronomy, and his direct object to supplement them. Comparing together the codes of Leviticus and Deuteronomy, if one's judgment is to be based solely on the laws in form and substance as they now appear, there could be no reason for assigning a later date to that of Leviticus.

Rights of Inheritance. — The unwritten law of inheritance in Israel was that the eldest legitimate son should be his father's heir, receiving a double portion of all his possessions, the father's special blessing, and all other rights and privileges appertaining to the proper head of the family. This law is recognized by incidental allusions in the history and the codes, but is nowhere made the subject of an enactment, except in the way of restriction or supplement.

Deuteronomy, for example, provides against the possible partiality of a father for the first-born son of a favorite wife (xxi. 15-17), prohibiting his making him his heir in preference to the real first-born; while Numbers (xxvii. 1 ff.; xxxvi.; cf. Josh. xvii. 3 f.) provides for the case where there are no children save daughters, constituting them equal heirs of their father's estate, on the understanding that they marry within their own tribe. In the same connection, it is shown what is to be done if there are no children at all. The second case is an exceedingly interesting one, from the fact that it is special legislation, and arose, in its original form, from an actual appeal to Moses on the part of the daughters of a man who had died

leaving no son. Moreover, it was subsequently amended because of a similar direct appeal to the lawgiver in view of certain difficulties expected to arise under it if it were left as first drafted. It is quite probable that the legislation in Deuteronomy was the result of a similar, though unrecorded, emergency.

Such instances, in fact, serve to account, in some measure, for the journal-like character of a large portion of the laws of the Pentateuch. So-called discrepancies are often nothing more or less than amendments called forth by altered circumstances, or revision suggested by further thought. In the case before us there is certainly no just occasion for predicating a later date for the law in its Levitical form. We see, indeed, the very circumstance of the history that called it forth passing before our eyes. Incidentally, attention may be called to the fact that the Deuteronomic code at this point makes use of the otherwise unused expression of Jacob in his address to Reuben, found in a document usually ascribed to the second Elohist (cf. with Deut. xxi. 17, Gen. xlix. 3, "beginning of my strength").

The Property of a Brother Israelite. — In Deut. xxii. 1-4 we have the command to restore the straying animal of a brother, or anything else he may have lost. Added to this is another of similar import, to the effect that help is to be given in case the animal of a brother fall under its burden. It is altogether but a somewhat changed reproduction of a passage in Exodus (xxiii. 4, 5), which, however, contains the thought that this brother whose animal is astray or in trouble is one with whom the person addressed is not on friendly terms. Still, the epithet "brother" used in Deuteronomy may be understood as comprehending the special case

mentioned in Exodus, together with all others of a similar character; while this form of the code alone extends the rule to anything which might be lost (using a word only used elsewhere in Ex. xxii. 18 and in the code of the middle books: Lev. v. 22, 23). Considering, moreover, the secondary character of the legislation in Deuteronomy, it is remarkable to what extent its language differs from that of Exodus while expressing the same general thought. It is far enough from being a slavish imitation.

Kindness to Animals. — In harmony with the fourth commandment, which enjoins rest for animals as well as man, we find in Deuteronomy (xxii. 6, 7) the command not to destroy a bird and its young or eggs at the same time. Doubtless the purpose of the law was partly economic; but the special motive urged, "that it may be well with thee," shows that higher considerations also ruled (cf. Ex. xxiii. 19; xxxiv. 26; Deut. xiv. 21; xxv. 4). It seems to be but another specification, or illustration, under the law given in Leviticus (xxii. 28) which prohibits the killing of an animal and its young, "whether it be a cow or ewe," both in one day. There is no evidence whatever that the Deuteronomic law antedates the Levitical. The one looks simply toward the open fields and ordinary life; the other toward the sanctuary and its sacrifices.

Mixing Diverse Things. — The law in Deuteronomy against sowing a field with diverse seed, ploughing with an ox and an ass yoked together, wearing garments of mingled woolen and linen, and forbidding one sex to wear the clothing of the other (xxii. 5, 9-11), is, as it would appear, but an enlargement of that of Leviticus (xix. 19), two of the particulars being precisely the same, and the unlike one in the latter code — that

cattle of diverse kinds shall not be allowed to gender together—not being of such a nature as to suggest priestly improvements of a later date. A peculiar dual form is found only in these two places. The same is true of another word, which is explained in the more popular code as meaning a material made up of woolen and linen. Deuteronomy speaks of “vineyard,” in place of “field” found in Leviticus; but it is an unimportant variation.¹ The motive urged in Deuteronomy for not sowing with diverse seeds is worthy of notice, “lest it be made holy,” that is, be confiscated to feed the priests and Levites of the sanctuary (cf. Lev. vi. 11).

Fringes on the Garment.—In the Book of Numbers (xv. 37–41) Moses is represented as enjoining upon the Israelites, in the name of the Lord, that they should wear fringes on the borders of their garments, and that these fringes be ornamented with a ribbon of blue, the whole to be a memorial of what God had done for them and of their duty to him. In Deuteronomy (xxii. 12) the word “borders” is changed to “four borders,” for “garments” we have “upper garment” (cf. Ex. xxii. 26), and the fringes themselves, instead of *ṣîṣîth* (found only here and in Ezek. viii. 3), are called *g'dîlîm* (cf. 1 Kings vii. 17). All the changes seem to be in the interest of clearness and definiteness. The employment of the former word in Ezekiel has no bearing on its use here, as it is there used for quite a different thing, the forelock. The Deuteronomic name, which

¹ It might better be said, perhaps, that as a more *specific* statement, it is more naturally found in a code of the purport of that of Deuteronomy. So Kamphausen in Riehm's *Handwörterbuch s.v.* “Verschiedenartiges”: “Die Erwähnung des wol hauptsächlich in Betracht kommenden Weinbergs erscheint als eine der Verdeutlichung dienende nähere Bestimmung des alten Gesetz. Es war nämlich wol häufiger der Fall, dass man Zwischen die Reihen der Weinstöcke irgend eine Art von Getreide oder Gemüse säete, als dass man die untereinander gemengten Körner z. B. von Gerste und Weizen auf dasselbe Feld streute.”

is derived from the process of manufacturing, is surely an improvement, for such a code, over the more technical designation of Numbers, being a common word, and having the same meaning in Hebrew, Aramaic, Syriac, and Arabic.

Sins against Chastity.—The only law against unchastity in the Book of the Covenant is contained in the two injunctions (Ex. xxii. 16, 18), the one relating to the seduction of a bondmaid who is a virgin, the other to lying carnally with a beast as with mankind. Leviticus devotes to the subject a series of enactments, extending, altogether, over more than thirty verses (xviii. 6–30; xx. 10–26). The legislation of Deuteronomy is largely special (xxii. 13–29; xxiii. 1), having nothing in common with Leviticus except a command concerning adultery in its narrower sense (vs. 22; cf. Lev. xviii. 20; xx. 10), which it defines and punishes in the same way; and the one concerning the seduction of a virgin (vs. 28, 29; cf. Lev. xix. 20–22), which, however, it considerably enlarges, and makes cover three distinct cases, all of them different from the one adduced in Leviticus.

Of the two codes, taken simply by themselves, the priority of date would naturally fall to the form in Leviticus, that of Deuteronomy being of too limited a character to stand by itself, and its enactments, as we have intimated, of the nature of amendments. Attention, moreover, may well be called to the fact that in the passage in Deuteronomy (xxiii. 1) the law of incest as found in Leviticus (xvii. 7 ff.) seems to be recalled and renewed by a repetition of the first enactment of it. The lawgiver had together with the one chief instance of incest the others, which were almost equally criminal, in mind, as the anathemas (Deut.

xxvii. 20, 22, 23) show. It is but another way of citing the Levitical code.

Cleanliness in Camp.—True to its historical background, Deuteronomy has a number of laws relating to methods of conducting warfare upon the inhabitants of Canaan and the adjacent countries. As was to be expected, they are all, to a large extent, peculiar to it; and the present one has been selected for special remark only because, in its principal features, certain laws of the books immediately preceding are so clearly reflected in it (with Deut. xxiii. 10–15 cf. respectively Lev. xv. 1–33; xviii. 19; xx. 18; Num. v. 1–4; xxxi. 19–24). The particular uncleanness specified in vs. 10, 11 of Deuteronomy is provided for in the same way in the other code (Lev. xv. 16, 17; cf. Num. v. 2), and the same degree of ceremonial impurity is imputed to it. That of vs. 12, 13, while special in its character, is wholly of one spirit with that of the Book of Numbers. So, too, the motive assigned for what is required in the people's code is fully up to the standard of that of the priests': "Sanctify yourselves, therefore, and be ye holy; for I the Lord am holy" (Deut. xxiii. 15; cf. Lev. xx. 7). It is not an unimportant circumstance in view of current theories of development in this particular direction.

Prostitution.—The code of the middle books forbids male prostitution, otherwise known as sodomy, in the following terms: "Thou shalt not lie with mankind as with womankind; it is an abomination" (Lev. xviii. 22); and female prostitution with equal explicitness in the following chapter (xix. 29). Deuteronomy combines the two enactments in one (xxiii. 18, 19), using a technical term for prostitute first employed in Genesis (xxxviii. 21 f.), but frequently found in the later histori-

cal and other books (1 Kings xiv. 24; xv. 12; xxii. 47; 2 Kings xxiii. 7; Job xxxvi. 14; Hos. iv. 14). It also adds to it an injunction, perhaps suggested by this very term as used by Phœnician and Canaanitish neighbors, to the effect that money obtained by such means "for any vow" is in no case to be brought into the house of the Lord.

There is every indication that Deuteronomy represents the latest form of the law. The expression "house of the Lord," otherwise strange to the book, occurs in Exodus (xxiii. 19), and is no proof that the temple was already built. The epithet "dog" applied to the male prostitute is as remarkable for its literary precision as for its exalted moral tone.

Usury.—*Exacting* interest for what was loaned to Israelitish brethren is forbidden in each of the three forms of the legislation of the Pentateuch (Ex. xxii. 24; Lev. xxv. 35–37; Deut. xxiii. 20, 21); but these forms are by no means simple repetitions of one another. Each furnishes something peculiar to itself.

EXODUS.	LEVITICUS.	DEUTERONOMY.
"If thou lend money to <i>one of my people</i> among you, thou shalt not be to him as one exacting interest; thou shalt not charge him with interest."	"And if <i>thy brother</i> have grown poor . . . or the <i>stranger</i> and <i>sojourner</i> with thee, thou shalt relieve him. Thou shalt not take interest from him or increase. <i>Thy money</i> thou shalt not give him for interest, nor <i>thy food</i> for increase. I am the Lord your God."	"Thou shalt not exact interest of <i>thy brother</i> , interest for money, interest for food, <i>interest for anything for which one might exact interest</i> . Of the <i>foreigner</i> thou mayest exact it, but of thy brother thou shalt not exact it, in order that the Lord thy God may bless thee."

In Exodus the poor Israelite is spoken of as one of God's people, and this thought supplies the place of the motives urged in the other laws. In Leviticus, not only is interest for money loaned prohibited, but for food. In Deuteronomy this is extended to anything

loaned. Leviticus enjoins that its provisions shall be applied to strangers (proselytes) and sojourners who are casually dwelling among the Israelites. Deuteronomy adds, in harmony with its special outlook, that from *foreigners* interest for anything loaned may be legally received ; that is, from Phœnician, Canaanitish, and other professional traders with whom they may have dealings.

It is plain that there is no call here for any adjustment ; the sacred laws are completely self-adjusting. They nicely fit and complement one another, and the three taken together form one harmonious whole. The question of conflict or of development in the line of Exodus, Deuteronomy, Leviticus, with a space of centuries between the separate codes, cannot for a moment be entertained.

Vows. — The legislation of the Pentateuch neither imposed vows nor treated them as particularly meritorious. They might be made or ignored without sin (Deut. xxiii. 22). This attitude was to have been expected ; since it is what God requires, and not what one voluntarily takes upon himself, that these laws make it their object to prescribe and enact. Still the subject could not be wholly overlooked ; for vows had in all times and countries a great deal to do with the religious life as popularly understood and practised.

Hence the Mosaic laws undertake to regulate the matter in harmony with their own fundamental principles. If, for example, one had actually made a vow, it must be fulfilled at the exact time and in the manner originally assumed (Num. xxx. 3 ; Deut. xxiii. 22, 23 ; Judges xi. 30 ff). Everything of which a person had the proper disposal, that is, which did not already come under the head of appointed offerings, it was presup-

posed in the law might be voluntarily devoted to God, and it does not accordingly refer to the matter except, as we have already seen, by forbidding that the gains of prostitution shall be brought into the house of the Lord (Deut. xxiii. 18). Such an exception gives just the local coloring to this phase of the legislation which its supposed circumstances admit and serves also to display its true relation to the others in this matter. It is the middle books that have the most to say concerning vows (Lev. vii., xxii., xxiii., xxvii. ; Num. vi., xv., xxix., and especially xxx.). What is said in the people's code (Deut. xii. 6, 11, 17, 26 ; xxiii. 22 f.) is to be looked upon less in the light of any attempt to lay down rules, with the exception just noticed, and more as designed to impress an important principle underlying all vows, that what had been once vowed could never be recalled (cf. its "when thou vowest a vow," and "what thy mouth hath spoken" with Num. xxx. 3, 6, 7, 13).

It is true that in the degeneracy of the later Judaism an ever greater stress came to be laid on self-imposed duties and restraints (Mal. i. 14 ; Matt. xv. 5 ; Mark vii. 9), and it might therefore be claimed that the minute injunctions of the middle books reflect the spirit of a post-exilian Israel. But when it is considered that nothing at all is said of vows in the laws of Exodus, and that what is said in Deuteronomy is of a hortatory, or a purely emendatory, character, the legislation of the middle books seems to be positively demanded to meet the requirements of so fixed and widespread a custom of the earliest periods and one so ethical in its bearings.

Pledges. — Deuteronomy treats the matter of pledges given for loans, relatively, at considerable length (xxiv. 6, 10-13, 17, 18), and altogether from its uni-

formly merciful and humane point of view. In form, what it has to say is evidently based on Exodus (xxii. 25, 26), whose provisions, or more properly illustrations, it simply enlarges. Neither form of the law has anything to say about the pledging of land, which first came into use after the time of Nehemiah (Neh. v. 3); and the same is true of the code of the middle books, which is silent on the entire subject.

Man-stealing. — The law concerning man-stealing is also limited to the same two codes. In the first form of the law (Ex. xxi. 16) the matter is not confined to the stealing of Hebrews alone; and if the one stolen were either found in the thief's hands, that is, as a slave, or had been sold by him, the thief was to be put to death. In the second form (Deut. xxiv. 7), the matter *is confined* to the stealing of Hebrews, and the thief is to be put to death if he *be found stealing or selling* one of his brethren. The law in Deuteronomy is either a milder form of the other, or to be understood as putting a proper interpretation upon the other.

Leprosy. — Delitzsch¹ has laid down the safe principle that where there are "in Deuteronomy references to the laws which are fully codified by the Elohist, these laws, as well as those of the Book of the Covenant, are to be looked upon as antedating Deuteronomy." "That this," he goes on to say, "is true of the law of Leviticus relating to the leprosy we think we have shown in our first article.² The impressive exhortation, Deut. xxiv. 8, to hold one's self obedient, in case of the leprosy, to the directions of the Levitical priests, which themselves, in turn, rest on divine instructions ('as I have commanded them'; cf. with this the expression referring to the law of the Sabbath, vs. 12), presupposes

¹ *Zeitschrift für Kirchliche Wissenschaft*, etc. 1880, p. 446. ² *Ibid.* pp. 3-10.

the existence of such special norms, products of divine revelation, as stand recorded in Lex. xiii., xiv." It is not easy to see how this conclusion of Delitzsch can be avoided. The Book of the Covenant does not take up the subject. Deuteronomy refers explicitly to instructions somewhere given to the priests concerning it. They are found in full in Leviticus, and found nowhere else.

The allusion to Miriam in Deut. xxiv. 9 is incidental, and is made, apparently, for the sake of warning, lest one expose himself by disobedience to the danger of the leprosy. It should not be used so to limit the preceding verse as to make it teach that if the people are not submissive *to the priests* they will be liable to attacks from this dreadful disease. It was not against the priests, but against Moses, that Miriam and Aaron, himself the head of the priesthood, had shown a rebellious spirit. The rendering of vs. 8, which Schultz and Keil strangely favor: "Take heed against the plague of the leprosy by observing and doing according to all the Levitical priests," etc., is not only grammatically less to be recommended, but introduces by the but-end an incongruous thought into the context. It is possible, indeed, that the reference is to Miriam's exclusion from camp, and solely to that, showing that the strictest rules were enforced even in her case, and hence should be in that of all others.

Gleaning. — Of the law in Leviticus in behalf of the poor (xix. 10), that the corners of the fields and the gleanings as well of vineyards as grainfields are to be left for them, Dillmann¹ remarks that its age is witnessed to not only by its form, but by its repetition in xxiii. 22, and in Deut. xxiv. 19-22. In the latter

¹ *Com., in loco.*

passages the gleanings of olive-trees and sheaves forgotten in the harvesting are also included among the perquisites of "strangers, the fatherless, and widow." It was a goodly land upon which the people looked over from the steppes of Moab. What wonder that the heart grew generous in view of it?

Just Weights and Measures. — As it has just occurred, and not infrequently occurred, so here, we find Deuteronomy doing little more than simply repeating a regulation of Leviticus (xix. 35, 36; cf. Deut. xxv. 13-16) in a slightly altered form. The language of the latter betrays no sign of a later age, and still less does the motive which is urged as an incentive: the fact that God had brought them from the land of Egypt. The style of Deuteronomy is more popular, it has fewer specifications than Leviticus, but it is one with it in spirit and conveys essentially the same message. The motive it offers, as over against that of the parallel code, is strikingly appropriate to the alleged circumstances of its origin: "In order that thy days may be prolonged in the land which the Lord thy God giveth thee" (cf. iv. 26, 40; v. 16, 30; vi. 2; xi. 9; xvii. 20; xxii. 7; xxv. 19; xxviii. 8; xxx. 16; xxxi. 13).

It is worthy of notice that our code ends, as it began, with a reference to the speedy entrance on the possession of the promised land. The present series of laws forms no exception to the rest of the code, or any of the codes, in the fact of laying emphasis on this impending event. The chief difference between Deuteronomy and the middle books in this respect is that it seems to feel considerably more than they the nearness of Palestine. The legislation of PC, like its history, is more appropriate to a migratory people, always centring, as it does, about the tabernacle. The

legislative and narrative portions of Deuteronomy, on the other hand, are more appropriate to a people about to settle as a morally and politically united nation in a long-hoped-for national domain.

Let us, in conclusion, briefly recall some of the principal features of the series of laws just considered. If we mistake not, they have an important bearing on important problems of the criticism. Among the enactments are some, as for example that enjoining the wiping out of unconquerably hostile Canaanitish cities (xiii. 13-19; xx. 15-18), which, on the supposition of unguineness, would not alone be senseless—they would be ridiculous. There are still others, like that which specifies a single characteristic sin in a certain category of unchastity (xxiii. 1), that without the background of some such legislation as that of the middle books would be as incomplete as the law against unclean food apart from specifications.

There are others, and a not inconsiderable list of them, which plainly appear to be laws of the so-called "Priests' Code" modified, sometimes slightly changed in form, sometimes essentially supplemented. The changes are precisely of the nature to be expected, if the history actually took the course it is said to have taken (xiv. 21; xv. 1-11; xvii. 6, 7; xix. 15, 16; xxiii. 20, 21). And it is particularly significant that we have found instances, both where there was an indirect assumption of another and a fuller code existing elsewhere, and instances of the direct and, as it seems to us, indisputable citation of such a code (xx. 18; xxiv. 8)—citations made for the apparent purpose of calling it to mind and enforcing its injunctions.

Then, too, here, as elsewhere, the peculiar form of the Deuteronomic code has attracted our attention. It is

adapted to the supposed occasion of a popular assembly. It is simple in style. The technical language of the preceding books disappears. The laws meant only for the priests are left out entirely. A difficult or dubious term that we have in the parallel passage in Leviticus, for example, is here explained as meaning woolen mixed with linen (xxii. 11). Of Moloch, the Ammonite deity, mentioned again and again in Leviticus, we hear not a word here; but more than once the warning is sounded against the abominable rite of passing children through the fire (xii. 31; xviii. 10). The practice of deceiving in the matter of weights and measures is here alone forbidden in the picturesque form: "Thou shalt not have in thy wallet a stone and a stone, a great and a small one. Thou shalt not have in thy house an ephod and an ephod, a great and a small one" (xxv. 13-16).

Nearly all the laws of Deuteronomy, moreover, are marked by a peculiarly hortatory, rather than a merely prohibitive, style. The "thou shalt not" of Mount Sinai has largely taken on a pathetic "O, do not" of expostulation and affectionate appeal. What is enjoined is not alone put upon the conscience of the individual Israelite: he is expected to lay it to heart. Each of the codes treats of the respect that is due to the poor and the helpless; but neither of the others to the extent that it is done in this. It is exactly in the spirit of Deuteronomy to enjoin that the back of the enfranchised slave be loaded down with gifts from granary and wine-press (xv. 14). It is just like it to call attention to the circumstance that the day-laborer "sets his heart" upon his earnings and to urge that he be paid the wage of the day on his day (xxiv. 15).

There is evidently a purpose in all this. As it seems

to us, it cannot lie far off from that other purpose which prompted Moses to rehearse to the people their own code in a language they could understand and to provide for this whole impressive scene just preceding, as we are told, the exit of the great lawgiver from the stage of Jewish history. Alike the style of speech and the spirit of it harmonize perfectly with the circumstances of the case as they are frankly recited in the eleven chapters that introduce the code of Deuteronomy and the eight that follow it. With those other circumstances in the days of King Josiah (B.C. 621), alleged to be the real historic setting of these laws, clearly and emphatically they do not harmonize.

For strictly speaking this is not legislation. It is next to impossible that it should be legislation in its earliest, rudimental form. It is rather the admonition that follows the precept, Moses performing the office of prophet, after fulfilling so well the office of leader and legislator. It is the same voice that we hear speaking, but one grown somewhat tremulous with age and full of the tenderness of a farewell utterance.

Mark the motives to which appeal is made. These are the thousands of Israel, fresh from a pilgrimage of forty years in the rough wilderness skirting the southern borders of Canaan. But they are addressed as any audience of Bible-educated people in similar circumstances might be addressed. The standard that is set for them — how far short does it come of that which is set for us by the teachers and preachers of to-day? If there be imperfectness of form, there is surely none in spirit. It is a spirit that we recognize as divine.

As we have already said, with the whole Pentateuch before us, with the certain knowledge that all its sublime history was enacted just as it is recorded, and just

as it is claimed to have been enacted by those in circumstances to know most about it, we cannot cease to wonder at such a people ; that "at the moment which ended their tent-life in the wilderness, and which immediately preceded their entrance upon the land assigned them . . . they, in full ecclesia, might properly be taught, advised, upbraided, promised, threatened, in the manner of which the closing book of the Pentateuch is the record and summary."¹ But if you take away the Pentateuch as a record of facts ; if you take away the history whose source and inspiration is Mount Sinai, and that is broken in upon, as this purports to be, by divine interpositions ; if, above all, you take away the educating influence of the tabernacle and its worship, we have a riddle on our hands more perplexing by far than that offered by any irregularities of the codes. It was the apostle James who said : "Show me thy faith apart from works and I will show thee my faith by my works." Show me a Deuteronomic people without the patriarchal history, without Exodus and Leviticus, and I will show you one that these histories and laws were calculated to produce as nothing else could.

To stigmatize such efforts as the foregoing, to adjust the laws of the Pentateuch to one another on the theory of a common origin, a theory which has the support of the books themselves and all that can properly be called biblical history, as "traditional" and "harmonistic," does not establish a contrary conclusion. If there were nothing else to stimulate and recommend such efforts the alternative offered by our critics would of itself be sufficient : a veritable *Tōhû Vābhōhû* (Gen. i, 2) over which broods no Spirit of God to call order out of the confusion.

¹ Isaac Taylor, *The Spirit of Hebrew Poetry*, p. 169.

TABLE OF LAWS REVIEWED IN THE LAST THREE PAPERS.

SUBJECT.	DEUTERONOMY.	EXODUS.	LEVITICUS AND NUMBERS.
1 Introductory,	12:1 (see Hebrew text throughout).		
2 Destruction of idols, etc.,	12:2-4, 29, 30; 4:15-19; 7:5, 25, 26; 20:18	23:24, 33; 34:12-17; cf. 23:13.	N. 33:51, 52
3 Centralization of worship,	12:5-23; cf. 26:2 ff.	20:24, 25; 34:23-26	L. 17:1 ff. <i>et passim</i> .
4 Worship of Moloch,	12:31; cf. 18:10	. . .	L. 18:21; 20:2-5
5 Seduction to idolatry,	13:1-19; 16:21-22	. . .	
6 Destruction of Canaanitish cities,	13:13-19; 20:15-18	23:23, 24, 27-33; 34:12-16	N. 33:50-56
7 Forbidden mourning customs,	14:1, 2	. . .	L. 19:27, 28; 21:5
8 Food as clean and unclean,	14:3, 20	. . .	L. 11:1-21, 22-43
9 Animals eaten to be properly slain,	14:21	22:30	L. 17:15
10 Offerings,	14:22-29; cf. 12:17-19; 15:19-23; 26:12-19	22:29; 23:18, 19 a; 34:19, 20, 25, 26 a.	N. 18:21-32 <i>et passim</i> .
11 Sabbath Year,	15:1-11	23:9-11	L. 25:1-7
12 Release of Hebrew servants,	15:12-13	21:2-6	L. 25:39-46
13 Sacrifices to be faultless,	15:19-23; 17:1		L. 22:19-27
14 The feasts,	16:1-17	23:14-17; 34:21-23	L. 23:4 ff.; N. 28:11 ff.
15 Judges and Officers,	16:18-20; 19:8-13		L. 19:33, 34
16 Oppression of the poor,	16:19-20; 24:14, 15	22:21-24	
17 Punishment of Hebrew Idolaters,	17:2-5; cf. 4:19	22:19	
18 Witnesses needful,	17:6, 7; cf. 19:15, 16	. . .	N. 35:30
19 The king,	17:14-20	. . .	
20 Priests and Levites,	18:1-3	. . .	L. 7:8-10; 10:14, 15
21 Magical arts, etc.,	18:9-14	22:17	N. 18:8-20
22 The prophet,	18:15-22		L. 19:26, 31; 20:6, 27; N. 23:23
23 Cities of refuge,	19:1-13; cf. 4:41-43; 23:16	21:13	N. 35:1-34
24 Removing Landmark,	19:14		
25 False witness,	19:15-21	23:1-3	L. 19:12, 15, 16
26 Preparation for battle,	20:1-9; 24:5	. . .	
27 Hostile cities,	20:10-14, 19, 20	. . .	
28 Purification for murder,	21:1-9	. . .	
29 Female captives,	21:10-14	. . .	
30 Right of inheritance,	21:15-17	. . .	N. 27:1 ff.; ch. 36
31 Disobedient son,	21:18-21	. . .	
32 Hanging,	21:22-23	. . .	
33 Property of a brother Israelite,	22:1-4	23:4, 5	
34 Kindness to animals,	22:6, 7; cf. 14:21; 25:4	23:19 b; 34:26 b.	L. 22:28
35 Regard for human life,	22:8	. . .	
36 Mixing of diverse things,	22:9, 10-11	. . .	L. 19:19
37 Fringes,	22:12	. . .	N. 15:37-41
38 Charge of unchastity,	22:13-21	. . .	
39 Sin against chastity,	22:22-29; 23:1	22:16, 18	L. 18:6-30; 20:10-26.
40 Persons shut out of the congregation,	23:2-9	. . .	
41 Cleanliness of the camp,	23:10-15	. . .	L. 15:1-33; N. 5:1-4 <i>et passim</i> .
42 Fugitive slave,	23:16, 17	. . .	L. 18:22; 19:29
43 Prostitution,	23:18, 19	. . .	L. 25:35-37
44 Usury,	23:20, 21	22:24	L. chs. 7, 22, 23, 27; N. chs. 6, 15, 29, 30
45 Vows,	23:22-24; cf. 12:6, 11, 17, 26	. . .	
46 Divorce,	24:1-4	. . .	
47 Pledges,	24:6, 10-13, 17, 18	22:25, 26	. . .
48 Man-stealing,	24:7	21:16	. . .
49 Leprosy,	24:8, 9	. . .	L. chs. 13, 14
50 Gleaning,	24:19-22	. . .	L. 19:9, 10; 23:22
51 Forty stripes,	25:1-3	. . .	
52 Levirate marriage,	25:5-10	. . .	
53 Punishment of Immodesty,	25:11, 12	. . .	
54 Just weights and measures,	25:13-16	. . .	L. 19:35, 36
55 Amalek,	25:17-19	. . .	
56 Offering of first-fruits, etc.	26:1-19	. . .	

VI.

LAWS PECULIAR TO THE "PRIESTS' CODE."

ON the theory that Moses led the Israelites out of Egypt, something within the Mosaic period answering to the priestly legislation of Leviticus and Numbers is not only a natural, but almost a necessary, presumption. Of the four great castes of Egypt, that of the priests was second in rank, holding in fact the same relation to the king that in Israel the high-priest held to Moses and his successors. The description Herodotus gives of the Egyptian priests, their dress, their means of support, the advantages they enjoyed and the influence they exerted, reminds us, at every step, of the priestly class in Israel.¹

When Pharaoh would honor Joseph, he gives him his

¹ "They are religious to excess, far beyond any other race of men, and use the following ceremonies: They drink out of brazen cups, which they scour every day: there is no exception to this practice. They wear linen garments, which they are especially careful to have always fresh washed. They practise circumcision for the sake of cleanliness, considering it better to be cleanly than comely. The priests shave their whole body every other day, that no lice or other impure thing may adhere to them when they are engaged in the service of the gods. Their dress is entirely of linen, and their shoes of the papyrus plant: it is not lawful for them to wear either dress or shoes of any other material. They bathe twice every day in cold water, and twice each night, besides which they observe, so to speak, thousands of ceremonies. They enjoy, however, not a few advantages. They consume none of their own property and are at no expense for anything; but every day bread is baked for them of the sacred corn, and a plentiful supply of beef and of goose's flesh is assigned to each, and also a portion of wine made from the grape. Fish they are not allowed to eat; and beans—which none of the Egyptians ever sow, or eat, if they come up of their own accord, either raw or boiled—the priests will not even endure to look on, since they consider it an unclean kind of pulse. Instead of a single priest, each god has the attendance of a college, at the head of which is a chief priest; when one of these dies, his son is appointed in his stead."—See Rawlinson's *Herodotus*, ii. p. 65 f.

signet-ring and marries him to a daughter of the priest of On. Moses, the adopted son of an Egyptian princess, brought up in all "the wisdom of Egypt," was also the son-in-law of a priest of Midian.¹ For forty years he pastured his sheep on that very peninsula of Sinai where afterward, for forty years, he led the flock of God. The name he gives his first-born² sufficiently proves his loyalty, during this period of training, to his own nation and its traditions. And it is not a position that surprises us by its boldness, when Bertheau claims that Moses in Midian came in contact with a form of the faith of his Shemitic ancestors purer than that prevailing among the Hebrew abjects of Egypt.³

However this may be, it is certain that the law and ritual of the Israelites, while not a little colored by those of Egypt, no less find justification in the contemporaneous monuments of allied Shemitic races, like the Phœnician and the Assyrian. "Among both we find traces of sacrifices and institutions which offer many parallels to the religious ordinances of Moses. Besides the Sabbath . . . the Babylonians and Assyrians had various festivals and fasts, on which certain rites had to be performed and certain sacrifices offered; they knew of 'peace-offerings' and of 'heave-offerings,' of the dedication of the first-born and of sacrifices for sin. The gods were carried in procession in 'ships,' which, as we learn from the sculptures, resembled in form the Hebrew ark and were borne on men's shoulders by means of staves. In the front of the image of the gods stood a table, on which shew-bread was laid; and a distinction was made between the meat-

¹ Cf. Geike, *Hours with the Bible*, ii. 86-114; Sayce, *Fresh Light from the Ancient Monuments*, p. 71 f.

² *Gershom* = a stranger there.

³ *Geschichte*, p. 242. Cf., however, Kurtz, *Hist. of the Old Covenant*, ii. p. 195.

offering and the animal sacrifice. Certain unclean kinds of food were forbidden, including the flesh of swine and creeping things; and in the outer court were large lavers called 'seas,' like the sea of Solomon's temple, in which the worshipers were requested to cleanse themselves. Many of these regulations and rites came down from the Accadians (Gen. x. 10), who founded the great cities of ancient Chaldæa and were the inventors of the hieroglyphics afterward developed and the cuneiform character of the Assyrian."¹

To assume, accordingly, that the priestly legislation and ritual of Israel, regarded as Mosaic, are, on their face, anachronistic, is to assume what the monuments disprove. To assume that prophets in Israel must have preceded priests, the so-called Jehovistic writings the Elohist, the protevangelium of the second chapter of Genesis the sacrifices of the first, is to assume what the literature of contemporaneous peoples would lead us to regard as most improbable.² It was to the priests of Egypt that was given the care and the interpretation of the sacred books. Not only was the prophet not superior to the priest, but prophecy was regarded as a subordinate function of the priesthood itself. The very name employed to designate the Egyptian written character (hieratic), on which the alphabetic systems of most other peoples have been based, like its companion word "hieroglyphic," shows how predominant was the position of the priesthood among this most ancient of civilized peoples.

¹ See Sayce, *ibid.* p. 77 f.

² See Rawlinson's *Herod.* ii. p. 67, note; and the opening sentence of the "Decree" of the Rosetta Stone in *Records of the Past*, iv. p. 71. In the "Decree of Canopus," a document nearly a century older than the Rosetta Stone there is still further confirmation of the statement that the priestly office was sometimes understood to include the prophetic (*Records of the Past*, viii. p. 85): "And they should be called priests of the benevolent gods in their name, that they should occupy a higher rank through the name of their office; and of their place as prophet thereof," etc.

We are permitted then to begin the investigation of the so-called "Priests' Code" of the Pentateuch with a strong presumption in favor of its genuineness. Such a series of laws might have been given by a Moses of the exodus, might even have been expected from him, were he to figure at all in the character of a lawgiver. And the question that, in the present paper, we have to answer is, Do these laws in their present form, when examined in detail, necessitate the theory of a later date? Is there anything about them that should lead to the certain conclusion or render probable, notwithstanding the plausibility and practicability of the traditional view as sustained by the monuments, the position that they are neither the production of Moses nor come from his age? Every law peculiar to the "Priests' Code" and not hitherto examined by us, including Lev. xvii.-xxvi., will be passed under review.

Concerning Blasphemy (Lev. xxiv. 15, 16; Num. xv. 30, 31). — The law against blasphemy is but the negative side of the demand that due honor shall be paid to Jehovah, the unseen King. It is no more out of place, therefore, in the Mosaic period, in itself considered, than the first and second precepts of the decalogue. It is, in fact, but another form of the commandment: "Thou shalt not take the name of the Lord thy God in vain." It finds an echo in still another injunction of the Sinaitic code (Ex. xxii. 27).

Moreover, it purports to be the outcome of an actual event of the Mosaic history (Lev. xxiv. 10-14). We are informed in the context that the son of an Israelitish woman, whose father was an Egyptian, had been detected "execrating the name." Inquiry is made of the Lord by Moses to learn what shall be done with him. It is enjoined that he shall be stoned by

the whole congregation "without the camp." Then follows the law which is to govern in similar cases. Dillmann¹ thinks he sees evidence that it is somewhat older than the history here made its setting. Be that as it may, there is not a scintilla of proof that either is post-Mosaic. The contrary is sustained by both circumstantial and direct evidence. The whole conception of the crime of blasphemy was revolutionized among the post-exilian Jews (2 Macc. x. 4, 36). Malachi used terms for characterizing the offence that are unknown to Leviticus (i. 6, 12). Meanwhile it is the Levitical form of the law that is enforced in so flagrant and unjust a way by Jezebel's emissaries in the northern kingdom, before the close of the tenth century (1 Kings xxi.).

The Sacred Vestments (Ex. xxviii. 1-43). — Like the priestly class of contemporaneous peoples, the priesthood of Israel, also, was to be distinguished by a peculiar official dress. An entire chapter, it will be observed, is devoted to its details. With a strong Egyptian caste throughout, it shows, perhaps, an equal acquaintance with the customs of a Shemitic ancestry. Linen was the fabric uniformly employed for clothing by the priests of Egypt; while, if we may trust the frescos of Egyptian dwellings, delight in colors was a marked Shemitic trait.² The hand-loom and its appurtenances had long been a familiar piece of domestic furniture. Needlework with gold thread, as well as cord made from twisted gold wire, were common devices for ornamentation. Linen corselets, engraved stones, and even something answering in kind to the mysterious Urim and Thummim of the Jewish high-priest, might all have been suggested

¹ *Com., in loco.*

² Cf. Rawlinson in *Pulpit Com.* on Exodus, ii. p. 280.

by Egyptian precedents. The pomegranate tassel, on the other hand, was an Assyrian device, together with bells of the present modern shape. Hence it may be seen that the directions for clothing the Jewish priests are everywhere stamped with marks of the Mosaic age. What is characteristic in them characterizes as well oriental antiquities in general.

But there are also considerations of a more positive nature to be presented. Delitzsch, for example, has called attention to the several colors employed in the Jewish high-priest's ephod.¹ They are the same that are found in the coverings of the sanctuary. In the case of two of these, the technical terms used to designate them occur only in the *Elohistic* portions of the Pentateuch. If these sections were a product of the exile, we might expect to meet with the given terms in the literature of that period. But this is conspicuously not the case.

The word for *red purple*, for instance, in our code and throughout the Elohistic Torah is *argaman*.² At the time of the exile, this had become corrupted into the half-Aramaic, half-Persian *argewan*. The color known in the earlier period as *tola'ath shani*, *scarlet* or *crimson*, the Chronicler, representing the latest stage of the language and that which, on the hypothesis should be, but is not, used in the regulations before us, has changed to *karmil*.³ Such indications as these no scholar will feel inclined to overlook. They are of the nature of those inimitable vegetable and animal formations which have left here and there an impression on the broken surface of our globe and have become the accepted data for determining its geological periods.

¹ Preface to Curtiss's *Levitical Priests*, p. xi.

² I employ here Delitzsch's transliteration.

³ Cf. 2 Chron. ii. 6.

So, too, the history of the Urim and Thummim furnishes something more than a hint in the same direction. Just what this device was and how it was employed, we need not now stop to inquire. Perhaps it will never be fully known. The very mystery that, to us, overhangs the subject is significant. There appears to be none in the minds of biblical writers. Previous acquaintance is assumed in the manner of its introduction. There is no effort at explanation. Let it be supposed now, for the moment, that our code arose in Ezra's day and that what we glean from the historical books concerning this oracle of light and right furnishes the needed information concerning it. But this is precisely what we are not permitted to suppose. It would be placing the pyramid on its apex.

So far from finding a development in the matter from the Mosaic period downward, we find the opposite. Abiathar of David's time is the last of whom it is said that he made use of the Urim and Thummim. We discover Eleazer, Aaron's successor, wearing it as a fitting part of his high-priestly furnishing (Num. xxvii. 21). We find it mentioned as one of the distinguishing honors of the tribe of Levi by Moses in his blessing (Deut. xxxiii. 8). But the history subsequent to Solomon's day is wholly silent respecting it. And, still more noticeably, that of the exile furnishes positive evidence that it had then ceased to exist (Ezra ii. 63; Neh. vii. 65). Questions of priestly genealogy are by common consent postponed until there shall arise a priest with Urim and Thummim. We know, further, that he was waited for in vain. The generation of the Maccabees (1 Macc. iv. 46; xiv. 41), two centuries later, are prosecuting still the same hopeless quest. With the rise of prophecy this earlier and ruder style of divine

communication had forever passed away. The later yearning for its restoration was no sign of development, but of decadence. The principle underlying our Lord's words, "It is expedient for you that I go away," is applicable to all times. The prophet was greater than the seer. To bring back deliverances by Urim and Thummim after the former had done, for the time, his work was to face toward the wilderness instead of toward Him in whom all prophecy culminated and had its supreme embodiment.

The Consecration of Priests (Ex. xxix. 1-42; Lev. vi. 12-16; viii.). — The ceremony of consecrating the sons of Aaron to the priesthood consisted mainly in these four things: ablution, investiture, anointing, and sacrifice. The first, as a symbol of moral purity, is common to all religions, especially to the Egyptian. The appropriateness of the dress of Israelitish priests to the circumstances of their supposed origin has already been considered. The rite of anointing as a sign of consecration is a peculiarity of the Jewish dispensation and of that which sprung from it. Its underlying idea is devotement. The person or thing so anointed was set apart for God, as purified and well-pleasing in his sight. This is the import of the declaration in Leviticus where we read (viii. 12): "And he poured some of the anointing oil on Aaron's head, and anointed him, to sanctify him." The use in Egypt and among other nations of antiquity of perfumed oils for medical purposes and as a luxury is too well known to need enlargement. So skilfully was it prepared that specimens from the times of the Pharaohs, still redolent of rare spices, have come down to our day.¹

Why it was that the Jews alone, as far as we know,

¹ See Riehm's *Handwörterbuch*, s.v. "Salbe."

anointed with oil as a rite of inauguration, having a special word to distinguish the sacred from the secular use, may be as difficult to explain as some other facts in the history of this singular people. But there is nothing in the circumstance that can suggest an innovation of a later day. On the contrary, the usages of a later day, as already shown,¹ differ essentially from those of the supposed Mosaic period. There is no evidence that when Ezra and Nehemiah were on the stage the high-priest was anointed at all (cf. Zech. iii.). And there is just as little evidence that, after their original consecration in the sons of Aaron, ordinary priests were ever again anointed on entering upon their office (Ex. xxix. 29 f.; cf. xxviii. 41; xxx. 30; xl. 15; Lev. vii. 36; x. 7; Num. iii. 3).

The matter of the offerings made by priests on the occasion of their consecration (Ex. xxix. 38-42; vi 12-16; viii.) presents no features requiring special comment. The dividing of a victim sacrificed was a widespread custom throughout the East; as was also the ceremony of filling the hands of an official at the time of his installation with the insignia of his office. That in the midst of this solemn ritual we find evidence here and there that the physical necessities of God's servants are not left wholly unprovided for is no symptom that our document is of priestly origin. It serves rather to show that Moses who through a whole generation acted the part of purveyor and commissary-in-chief as well as military and religious leader was true to himself. Indeed, it is on the alleged *utterances of Moses* that Paul bases the principle that those who "preach the Gospel are to live of the Gospel" (1 Cor. ix. 4, 9; 1 Tim. v. 18; cf. Deut. xxv. 4).

¹ See above, p. 119.

The Anointing Oil (Ex. xxx. 22-33). — Besides the fact already mentioned, that the anointing of the high-priest at his installation cannot be historically verified as a custom of the later times,¹ there are other circumstances of interest connected with the anointing oil. Of the four varieties of spices entering into its composition, only one, cinnamon, could have been rare in Moses' day. It is but three times spoken of in the Bible (Prov. vii. 17; Cant. iv. 14). Still, Herodotus cites it as an article of commerce from Arabia² and claims a Shemitic origin for its present universal name. The point of difficulty with the later Jews, it is likely, consisted not in the nature of the materials employed, but in the peculiar method of composition. It was not a bald mixture of spices with oil. It was the product of acquired skill, such as only a Bezaleel possessed (Ex. xxxvii. 29).

Special Requirements of Priests (Lev. x. 8-11, xxi. 1-24). — Among the various requirements made of the priesthood by which its character for holiness was to be maintained and emphasized there seems to be but one which comes within the scope of the present inquiry. A priest was not permitted to marry a licentious, profane, or divorced woman. The high-priest's choice of a wife was further confined to a virgin of his own people. These are the sole limitations of the law touching this matter. The ordinary priest, accordingly, might, if he chose, marry a widow, or go outside the bounds of his own people and take as wife the daughter of a "stranger" dwelling among the Israelites.

This statute, now, could not have been made in the time of Ezra and Nehemiah, for it does not reflect its tendencies. We discover already in the Book of

¹ See Hamburger's *Reäl-Encyc.* s.v. "Salböl."

² iii. III.

Ezekiel a toning up of the legislation in this respect. The ordinary priest is there subjected to the rule for the high-priest, in that he is prohibited from marrying a widow, except the widow of a former priest. But among the exiles who have returned from Babylon we find ourselves in an atmosphere surcharged with this stricter spirit. Severest penalties are visited not alone on priests but on the laity for intermarriage with any heathen people. And it is noticeable that Ezra, who makes humble confession to God on account of such transgressions in Israel, most significantly has the Deuteronomic, and not the Levitical, form of the legislation in view (Ezra ix. 12 f. ; x. 18 ff. ; cf. Deut. vii. 3 ; xxiii. 7). How is it possible, then, that such a law as this of the middle books could have originated at any period subsequent to the prophecy of Ezekiel? How much less could the strenuousness of that prophecy in the matter before us have marked a transition in the direction of the relative laxity of the "Priests' Code"!

The High-Priest to be of Eleazer's Line (Num. xxv. 10-13).—The effort of the Wellhausen criticism to make out that the Aaronic priesthood, with the high-priest at its head, was a novelty of the exile is one of the least plausible of its many wild conjectures. The history furnishes not an iota of valid evidence for it to rest upon. The story of Aaron and Miriam stands or falls with that of Moses himself. The section from Numbers now before us belongs to a narrative of events occurring near the close of the exodus period.¹ It brings the history of the priesthood one step further downward. Eleazer has succeeded Aaron ; and now it is promised that Phinehas, on account of his sublime act of moral courage and zeal for God, shall perpetuate the succession.

¹ Num. i.-xiv. belongs to the earlier part, xv. ff. to the later.

The designation "son of Aaron" as a title for the high-priest, on which the circle of critics just alluded to lays so much stress as being a peculiarity of the "Priests' Code," is found already in this very code, in the process of passing over into the usage of the historical books. The defection of Nadab and Abihu, who were also "sons of Aaron," no doubt contributed to hasten the change. This title, in itself considered, had ceased to mark the high distinction conveyed by the words as originally used; and other things, like this act of Phinehas, are employed to add honor to the sacred official position. Phinehas succeeded his father Eleazer (Judges xx. 20), and, excepting a brief interruption between the time of Eli and David, the line, as far as we have any knowledge of it, was continued in his descendants.

It cannot be shown that in any period of the history, leaving out the thoroughly abnormal one of the judges, the high-priest ever held any other position relative to the other priests and the common people than that accorded him in our code. The same designation is everywhere applied to him, namely, "the priest," that we find given to the chief of the order in the middle books of the Pentateuch. Nowhere do we find any other person than the high-priest permitted to enter the holy of holies for the performance of priestly duties. In short, the representation that there are four stages of development in the history of the Israelitish priesthood from the Jehovistic period, when there was no priest, through the Deuteronomic, when there was no distinction between priests and Levites, to Ezekiel's day, when a distinctive family of priests arises, and to the "Priests' Code" of the exile, when this family, falsely tracing its lineage

back to Aaron and setting a high-priest at its head, dominates alike the whole civil and religious life of Israel, is a pure invention, and at every step opposed to the plainest statements of the history.

"The post-exilian period of the hierocracy," says Delitzsch, "of which it is claimed that the 'Priests' Code' was meant to furnish the legal basis, does not exist. The high-priesthood of Eleazer's line with its attendant priests stands alongside of Ezra and Nehemiah just as little distinguished as that of Ithamar alongside of Samuel. The relation in which Ezra and Nehemiah stood to the priesthood and the priesthood to them positively precludes the idea that either intended, by means of a new Torah, to make the priesthood a ruling-force in the new state. And, in fact, it is not 'hierocracy,' but 'legalism,' that is the right word to characterize the impulse which Ezra the scribe gave to Judaism."¹

Requirements of those Eating of the Sacrificial Offerings (Lev. xxii. 1-16; Num. xviii. 10 ff.).—As a part of the "Priests' Code," if that code have the origin and the significance claimed for it by many critics, the law relating to the disabilities unfitting a priest to share in the sacrificial meals has not only no pertinence, but is antagonistic to its spirit and calculated to defeat the purpose which is supposed to have prompted it. It is not a statute that brings honor and privilege to the "sons of Aaron," but one that curtails his privileges and puts him in humbling contrast with his high office. Whether he eats or drinks, or whatever he does, he is not to forget that he is made a priest after the law of a carnal commandment" (Heb. vii. 16), that he has "infirmities" and needs to offer up sacrifices "first for his own sins" (*ibid.* vs. 27, 28).

¹ *Zeitschrift für Kirchliche Wissenschaft*, etc. 1880, p. 234.

This is not the representation we should look for in a scheme concocted for their own benefit by a coterie of aspiring men of Ezra's day. It is, however, conspicuously that of the Levitical code in every part. It is equally that of the earliest and latest history. It is Moses who acts as mediator and voices the divine authority during the exodus period. Aaron is throughout a secondary figure. His very first attempt at leadership in his brother's absence is an acknowledged blunder and proves a wellnigh fatal one (Ex. xxxii.). It is Moses who ultimately transfers to the elder brother his delegated office: an office whose sanctity in itself, as over against the prerogatives of any person, was signally indicated in the swift punishment of irreverence on the part of Aaron's eldest sons, who sought to prostitute it to their selfish ends. And when, in later days, the father himself, in proud 'reliance on his sacerdotal preëminence, ventures with Miriam to antagonize and call in question Moses' authority (Num. xii. 2), the rebuke he merits and receives is of one piece with that administered to Aaron's recreant descendants by Ezra and Nehemiah in the later day (Neh. xiii. 28, 29).

Special Prerogatives of Priests (Num. vi. 22-27; x. 1-10). — Among the peculiar prerogatives of Aaron's sons, that of the priestly benediction and that of carrying the silver signal-trumpets are pertinent to our present investigations. The code before us, in harmony with other phases of the law and with the history, makes the proper benediction a priestly act. Kayser,¹ however, with some others, has claimed that in Deuteronomy the Levite also is invested with this function (Deut. x. 8). In his general statement he is

¹ *Das Vorexilische Buch*, etc. p. 131.

correct, but is wholly mistaken in his application of it. The Levites are not technically spoken of in Deuteronomy, in distinction from priests, but simply as constituting one of the tribes of Israel and so including priests as well as ministers of a lower grade. And as it regards the latter function it must not be overlooked that the original purpose of the silver trumpets presupposes the Mosaic age. The principal use assigned them is to summon the assemblies that should gather at the door of the tabernacle and to give the signal for the "journeying of the camps." If it be an example of "legal fiction," we can see no occasion to justify its employment in the present instance. On the contrary, the history of the exilian period (Ezra iii. 10; Neh. xii. 35) and, in fact, of the usage generally, after the building of Solomon's temple, shows no such uniformity as it respects the employment of horns in religious services as to lead to the supposition that the present law is an invention, and crowns a development that culminated in the fifth century B.C.

The Tabernacle (Ex. xxv.-xxviii. 19. Cf. xxxvi.-xxxviii.). — It can scarcely be doubted by a candid mind that the story of the Jewish tabernacle has an historical basis, or that for its conception we must look to the Mosaic period. To make it merely an ideal picture of the Babylonian exiles, a reflection of Solomon's temple projected backward by a vivid fancy upon the distant canvas of Hebrew mythology, is to be as untrue to the records that furnish us with our only account of the structure as to any normal function of the imagination. The critic, indeed, in this way gets a theory of the tabernacle that suits to some degree his theory of development in the history; but it is at a fatal cost. How then, on any proper principles of historical development, is the temple itself to be accounted for?

Perhaps, however, so inopportune a query will be regarded as also an impertinence. Given the theory that you have an elephant and a tortoise for the earth to rest its crushing weight upon, what difference can it make whether it be elephant or tortoise that is left dangling in the abyss?

The reality of the Mosaic tabernacle and its principal furniture is vouched for not alone by the Elohistie "Priests' Code" with laws relating to it that breathe everywhere the Mosaic spirit (Lev. xvii.), but also by each of the other alleged leading documents of the Pentateuch (Ex. xxxiii. 7-11; Num. x. 35 f.; xi. 16 f.; Deut. x. 1-5; xxxi. 14 f.). This testimony the earliest history circumstantially confirms. Jehovah is represented, for example, by the prophet Nathan as not having dwelt in a house from the day that he brought the children of Israel out of Egypt, but in a tent and in a tabernacle (2 Sam. vii. 6 f.). David, accordingly, when he prepares on Mount Zion a place for the ark erects a tent for its reception. Without an accepted Mosaic precedent for such an act, it would have been, especially in view of the recent history of the ark, in the highest degree unnatural, not to say incomprehensible or impossible.

When this conclusion, however, has been reached we are not yet clear of difficulties. Not that, with our present knowledge of Egypt and the presumed grade of civilization attained by Israel, we are troubled with questions concerning the costly materials employed in the structure of the tabernacle, the skilled labor demanded, or the brevity of the time apparently allotted to the rearing of so complex and costly a sanctuary. We have only to think of the pyramids; and, further, that this very people was fresh from

labors on the treasure-houses of Pharaoh. Neither does the matter of transportation present any greater perplexities. With no necessity of haste and an army of laborers at command, what obstacle could a country otherwise impassable to loaded vehicles have offered to the march of Israel as historically described? If a greater carrying-power is required of the Levitical family of Merari than of that of Kohath or Gershom, it cannot be denied that it is also found to be more numerous by nearly a third (Num. iv. 34-49) and that special facilities are documentarily conceded to it for its service.

To hold with Riehm, following Kamphausen,¹ that thirty-two hundred able-bodied men between the ages of thirty and fifty years, with *at least* four wagons and four yoke of oxen at their disposal (Num. vii. 8), were insufficient to bear such parts of the tabernacle as are assigned to them in the records is to betray an excess of captiousness.²

But an objection of a more serious nature is urged. The Pentateuch recognizes, it is said, a twofold tabernacle. The tabernacle of the "Priests' Code" is one affair; that of the earlier documents quite another. The first tabernacle is properly no tabernacle at all in a technical sense. It is a simple tent, without paraphernalia of any sort. The position assigned it, contrary to that of the "Priests' Code," is outside the camp and at a distance from it (Ex. xxxiii. 7-11). It alone is honored by the presence of the cloudy pillar, and among

¹ See art. "Stiftshütte" in Riehm's *Handwörterbuch*. It would appear from Num. iv. 32 that the four wagons named were not the sole dependence for purposes of transportation.

² The inconsistency of much of our modern criticism is exhibited in no way more frequently perhaps, or more characteristically, than in this, that from making literary prodigies of our biblical writers and editors, it proceeds, in the next breath, to make of them bunglers of the first rank.

other historical events connected only with it was that of the election of the seventy elders and their spiritual enduement (Ex. xiii. 21; Num. x. 33; xii. 5; xiv. 14).

What, now, is to be said of this hypothesis and the historical statements adduced in its behalf? The apparent discrepancies in the documents Wellhausen and his supporters have known how to utilize to the utmost in favor of a theory that separates them by many centuries of development. He puts them so far apart, indeed, that only a man as sagacious as the final redactor of the Pentateuch could ever have seen any connection between them, or one with his characteristic temerity have thought to harmonize them as a common product of the Mosaic period.¹ But all critics, fortunately, have not to struggle with so credulous an incredulity as that of Julius Wellhausen.

A more modest theory to explain the alleged phenomena of the documents is that of Riehm² and others. The tabernacle of the "Priests' Code" is no invention of the fifth century before Christ, it is said; it is no invention at all. It is the reflection of the Davidic tabernacle backward into the Mosaic age. It is the tabernacle as the times of David actually knew it that the pen of the Elohist has sketched for us. Wholly diverse from that described in the supposed earlier records it is not, but a natural outgrowth of it and holding the same relation to it that the royal period of Israel held to that of the exodus. Admitting the hypothesis of the documents, this effort of Riehm to harmonize them is certainly a marked improvement on that of Wellhausen.

But would not a still easier method of explaining the

¹ See Wellhausen, *Geschichte*, i. p. 40 ff. Cf. W. Robertson Smith's *Old Testament in the Jewish Church*, pp. 318, 432.

² *Ibid.* p. 1567.

history and laws in harmony with themselves be, to discard entirely the hypothesis of separate documents in the narrative and law of the tabernacle? The hypothesis certainly needs the support of the alleged discrepancies much more than the alleged discrepancies need that of different documents.

If, in short, it be a matter of choosing between rival theories to explain the phenomena, the traditional one seems to us every way to be preferred. That the Elohist and Jehovist and even the Deuteronomist and Redactor are all combined in one person in this matter it would be far easier to believe than that any two of them are so much at loggerheads as to require theories of the nature of those proposed to reconcile them.

Looking at the matter, then, as it is historically presented to us, we discover that after Moses received the order to build the tabernacle the dreadful defection of the people, in the matter of the golden calf, took place. This naturally interrupted the execution of the plan. In the meantime a provisional tent was used, not improperly called by the name subsequently given to the tabernacle, "tent of meeting"; since it, too, actually served as the meeting-place of the congregation. It is pitched at a short remove from the encampment, in order, as the historian is careful to inform us, to manifest the divine displeasure at Israel's recent sin (Ex. xxxiii. 7). It is not in the midst of the camp (Num. xi. 24, 26, 30; xii. 4, 5); but just as little is it wholly apart from it. It is nowhere said, as has been affirmed, that, on the march, this primitive tabernacle was born aloft before the host. This is stated only concerning the ark. It is sometimes called *the* tabernacle, indeed, but only by a well-known usage of the definite article in Hebrew whereby a certain definite

conception of an object by the writer and his readers is indicated.

This very tent, moreover, had probably been known before as the tent of Moses. Here God had made special communications with his servant (Ex. xviii. 13-16). Joshua, as temporary leader in Moses' absence, occupies it (Ex. xxxiii. 11). There is no impropriety in his doing so previous to the establishment of the Levitical system. For the same reason God without the mediation of sacrifice makes revelations of himself here (Ex. xxxiii. 7, 9, 11; cf. xiii. 21). It is before their legal institution and the introduction of the ritual. Now, when so much has been admitted, all the principal difficulties involved in the narrative have disappeared.¹ To stigmatize such explanations, moreover, as "harmonistic" is not to overthrow them. The problem is one of harmonizing apparently conflicting statements whatever theory is adopted. If, in the well-known case that was brought before Solomon for decision (1 Kings iii. 16-28) the living child that was in dispute had been divided by the sword, the conflict would, indeed, have been finally adjusted: but only by the irremediable loss of the one precious thing at stake. So here the knife is one way of forever settling the question: but it should be the very last to be resorted to.

The Furniture of the Tabernacle.—Of the articles of furniture found in the tabernacle, *the ark* was the only one ever admitted to the holy of holies (Ex. xxv. 10-22). Its correspondence in conception to

¹ Cf. Ranke, *Untersuchung über den Pentateuch*, ii. 61, 68; Kurtz, *History of the Old Covenant*, iii. 171; Green, *Moses and the Prophets*, p. 57 f. It would not serve in any degree to disprove the origin of the legitimate and only tabernacle in the Mosaic period if it could be shown, as some claim, that the work upon it was not completed in all its details until after its formal dedication (cf. Num. xvi. 38 f.; xxxi. 52 ff.). The contrary might, indeed, have been most confidently expected.

similar objects of veneration among contemporaneous peoples has already been remarked. And, if its hereditary name, pointing back to the giving of the law on Sinai, were not a sufficient link of connection with the records of the Jehovist, there is no lack of evidence to vindicate its claim to be historic and Mosaic. It appears in Deuteronomy (x. 3), repeatedly in Joshua (iii., vi., xviii.), in Judges (xx. 26 ff.), in Samuel (2 Sam. xv. 25), and Kings (1 Kings viii.), until, finally, it is lodged within the sacred precincts of the temple of Solomon. Of its fortunes subsequent to the time of Isaiah (2 Chron. xxxiii. 7; xxxv. 3), we have no account. The temple or Zerubbabel was clearly without it; and hence by no fiction of Ezra could it have been smuggled into the history of the earlier times.

The Altar of Incense had its place "before the vail" (Ex. xxx. 1-21, 34-38), but so near to the holy of holies as to share somewhat in its sacredness (1 Kings, vi. 22; cf. Heb. ix. 4). The narrative of its form and function, being exceptionally found in a section by itself, has given rise to the theory that it is a still later accretion of the exilian "Priests' Code." On so slight a foundation many a pretentious structure of the criticism is reared. But there can be no doubt that the temple of Solomon had an altar of incense (1 Kings, vi. 20; vii. 48; ix. 25). Why then should a code originating after that period be of the form of ours, bringing in the regulations for this altar as a kind of appendix or afterthought?

It is difficult, it is true, to explain the peculiar arrangement of sections on the supposition that the law arose in the exodus period; but the difficulty is greatly enhanced if the interior of Solomon's temple

furnished the norm and guide. Moreover, it is a significant fact that the altar of incense in Solomon's temple was made of cedar ; that of the "Priests' Code" is constructed of acacia (*spina Ægyptiaca*). If now, the wise and forethoughtful legislator of the later day is looking through an inverted telescope at Solomon's temple in order to form his picture of the exodus period, why has he overlooked this circumstance ? That he has an eye for details we have abundant proof. The altar of incense in the second temple, so far as we can judge, is formed on the model of the "Priests' Code."

And what is true of the altar of incense is true also of the principal remaining articles of the original tabernacle. They are each and all represented as differing, to some extent, from those of the first temple, while agreeing with those restored and used in the second.

The *table of shew-bread* as described in the "Priests' Code" was an exceedingly simple structure of acacia wood (Ex. xxv. 23-30 ; Lev. xxiv. 5-9). There is every reason to believe that the one found in Zerubbabel's temple followed its specifications (1 Macc. i. 22 ; iv. 49). We read nowhere in the earlier or later history that more than one table was used for this purpose at one and the same time. But in Solomon's day, we are told that the number rose to ten, five being placed on the right and five on the left of the entrance into the holy of holies (2 Chron. iv. 8, 19 ; cf. 1 Chron. xxviii. 16).

In like manner and to a like extent the number of candlesticks was multiplied in Solomon's temple (1 Kings vii. 49 ; 2 Chron. iv. 7) ; and they seem to have remained at that number until carried away by the Babylonian conquerors (Jer. lii. 19). The exiles,

however, on their return from Babylon made provision but for one (1 Macc. i. 22), in harmony with the alleged original code (Ex. xxvii. 20, 21 ; Lev. xxiv. 1-4 ; Num. viii. 1-4).

The *altar of burnt-offering* appears to have undergone similar changes in its history. That of the tabernacle, in material, size, and the provision made for approaching it (Ex. xxvii. 1 ff. ; xxxviii. 1 ff.), differed considerably from the one used in the royal period (1 Kings viii. 64 ; 2 Chron. iv. 1 ; vii. 7). Of the altar of burnt-offering in Zerubbabel's temple we find no special description. But we may safely infer from various hints that it also went back for its model to the simplicity of the supposed original one (1 Macc. iv. 47) and not to the precedent of Solomon. Wellhausen directly asserts that this was the case.¹

Now in each of these instances, and the argument is the stronger from the fact that there are four of them, the conclusion to be drawn is inevitable. The practice of the exiles from Babylon conforms to the regulations of the "Priests' Code" and not to the usage of the first temple. We may suppose, then, either that the "Priests' Code" arose at this period or we may suppose that it was followed because it was universally regarded by the Jews as Mosaic and authoritative. We cannot suppose that, having its origin at this late day, it was in any sense a projection of the first temple backward into the Mosaic period. Such an hypothesis must be regarded as, in the circumstances, impossible.

This being so, then I submit that we are shut up to the conclusion that this code did not originate with Ezra or any contemporary of his, but was adopted in preference to the usages of the first temple because it

¹ *Geschichte*, i. p. 30 and note.

was looked upon as the primitive and obligatory form of the legislation. For we can easily understand how the priests of the later day should wish to sanction and follow national religious institutions in their original form. But how *quasi*-Mosaic legislators of these times or of any other period subsequent to Solomon should wish, or dare, to counterwork ordinances like those of the first temple if these were up to that time the only ones in existence is incomprehensible. What could be more completely at variance with the statement that there were many priests, Levites and chief of the fathers, old men, who had seen the glory of the first house and "wept with a loud voice" at the relative meanness of the second (Ezra iii. 12, 13)? It is tenfold more likely, in short, that the so-called "Priests' Code" is actually antique and Mosaic, than that, while offering these sharp contrasts to the practice of the golden and prototypal period of Hebrew history, it only pretends to be so.

The Burnt-Offering (Lev. i. 1-17; vi. 1-6; Num. xxviii. 1-15). — All of the laws of the Book of Leviticus and of the first ten chapters of Numbers are represented as having been given during the fifty years intervening between the setting up of the tabernacle and the departure from Sinai (with Ex. xl. 17 cf. Num. x. 11). But one of the first things we notice in the ritual of the burnt-offering is that this form of offering is presupposed as something already existing: "If any man of you bring" (that is, according to custom). This is in harmony with what we learn of the earliest forms of sacrifice among the patriarchs. The burnt-offering and peace-offering, as we have already shown, were their type (Gen. viii. 20; xxii. 7; xxxi. 54; xlv. 1; Job i. 5; xlii. 8).

We fail to find the marked transition, said to exist between the Jehovist and Elohist documents in passing from one to the other. Nor do we discover anything in the whole ritual of the burnt-offering as it appears in Leviticus and Numbers, the presentation, the imposition of hands, the slaughter, the disposition of the blood, the consumption of the victim, that unfits it for the exodus period. That it extends beyond the simple rites of an Abel or an Abraham should not surprise us. It is intended for a people new-born from Egypt. Earlier custom, however, as we have said, undoubtedly forms the basis of the system and it has precisely the same origin and the same authority as the so-called primitive (Sinaitic) laws of the Pentateuch (Ex. xx. 23-26; xxiii. 18 f.; xxxiv. iv. 25).

Meal and Drink Offerings (Lev. ii. 1-6, 7-11; x. 12, 13; Num. xv. 1-12; cf. Num. xxviii.).—Offering to God some portion of the products of the earth by which the offerer is sustained has a basis in nature and not simply in ecclesiasticism. David pointed it out when he said: "All things come of thee and of thine own have we given thee" (1 Chron. xxix. 14).

The drink-offering is never found—as was common in heathen religions—by itself, in the Mosaic ritual, but invariably in connection with the meal-offering. It is worthy of notice also that no part of the wine used in this offering formed any part of the priests' perquisites (Lev. x. 9; cf. Ecclus. l. 15).

The fact that the vessels used for making the drink-offering are mentioned as a part of the furniture of the table of shew-bread is no evidence of a more ancient practice, in accordance with which wine as well as bread was exhibited upon it. They are mentioned when and as they are simply because it was found most

convenient so to enumerate them. They are in precisely the same category, in this respect, as the pots in which the sacred frankincense was kept (Ex. xxv. 29).

It can be regarded, moreover, as no intentional coloring of the record, but an incidental circumstance of great significance, that the meal and drink offerings as accompaniments of other more important sacrifices are only prospectively prescribed in the "Priests' Code." They are represented as designed for a future period, that which should follow the conquest of Palestine. "Speak unto the children" is the form with which the statute is introduced, "and say unto them, When ye have come into the land of your habitations which I am giving unto you," etc. (Num. xv. 2).

Peace-Offerings (Lev. iii. 1-17; vii. 11-21, 28-34; xix. 5-8; xxii. 29, 30). — The peace (or thank) offering, there can be no doubt, was common before the time of Moses (Gen. xxxi. 54; xlv. 1; Ex. x. 25; xxxii. 6), and not alone among the Hebrews but other neighboring peoples. Its most essential characteristic, the accompanying feast participated in symbolically by God and really by the offerer and his friends was merely the recognition of a mutual covenant, in a form universally practised in the Orient. The ritual of this class of sacrifices as found in the "Priests' Code" presents no single feature that is out of harmony with its alleged origin in the Mosaic period. The two names given to it indicate simply two different points of view: the one referring more particularly to the outward rite;¹ the other,² to the underlying moral significance of it. If the theory of a late date for the "Priests' Code" were correct, we might have expected to find the latter term only in the youngest documents, which is not the case (Ex. xx. 24; xxiv. 5).

¹ *Zebhach*.

² *Shelem*.

The Sin-Offering (Lev. iv. ; v. 13 ; vi. 17 ; Num. xv. 22-28). — It is significant that in the order of narration the sin-offering follows those above mentioned, although as a matter of ritual it ordinarily preceded them when all were presented at the same time. The others had been in use before the days of Moses. This, at least in its present form, had not. The immediate object of the sin-offering was expiation, as that of the trespass-offering was satisfaction or restitution.

In saying, now, that technically speaking there are no signs of the existence of sin-offerings before the time of Moses, that is, that they had no existence, except as all bloody offerings were understood to be of the nature of an atoning sacrifice, we do not, by any means, unfavorably prejudice the position that they originated with him. For there is nothing in this form of sacrifice, *per se*, to make it an anachronism in his time, while the ritual itself, in its outward form, is indubitably impressed with marks of the exodus period. The bullock, for example, that is to be offered up, is to be brought to the "door of the tabernacle of the congregation before the Lord" (Lev. iv. 4 ; cf. vs. 5, 7, 15, 16, 18). After its slaughter and the prescribed sprinkling and pouring of its blood about the sanctuary, the carcass is to be carried "without the camp" and burned (Lev. iv. 12, 21).

These are unintentional corroborations of the Mosaic origin of the code or they are an intentional shaping and coloring of it for purposes of deception.

That within the Levitical law of the sin-offering itself there are expressions suggestive of development, as some have intimated (v. 1-6), Delitzsch denies.¹ And that from the beginning of the eighth century B.C.

¹ *s.v.* "Sündopfer" in Riehm's *Handwörterbuch*.

the post-Mosaic history is without an adequate recognition of its existence I have elsewhere shown to be an error.¹

The Trespass-Offering (Lev. v. 14-26; vii. 1-10; Num. v. 5-10). — Besides the differences just noted as existing between the sin and the trespass offering, there were also others. In the case of the latter, the victim must be either a ram or a sheep; in the former, it depended on the rank and ability of the offerer what it should be. In the trespass-offering there was a definite restitution required for injuries done; in the other, the sacrifice alone sufficed. The trespass-offering was always of a private and individual character, the sin-offering might be for a community or the whole people. In the case of the trespass-offering, the blood of the victim was sprinkled only on the sides of the altar; in the other, there was a variety of solemn ceremonies prescribed for it. And it may be said, in general, that, as might have been expected, the ritual of the sin-offering is of a much more serious and rigid character than the other. That among Mosaic institutions room should be found for distinctions as fine and as detailed as these cannot be accounted strange when in the original Sinaitic code ritualistic and other similar discriminations scarcely less sharp are made (Ex. xx. 22, 23; xxi. 1-6 *et passim*).

The assertion, now, that the trespass-offering is but a subordinate development out of the sin-offering, from which it was differentiated by the finical scribes of the later day, has no historical evidence in its support. If there were development in the premises, it might have been expected in just the contrary direction, the stricter form following the more lax. This

¹ See p. 99 f.

order alone, moreover, would be in harmony with the general position of the critics who offer the hypothesis. That the terminology of the Pentateuch does not always indicate clear distinctions is true.¹ But such instances are exceedingly rare and exceptional. Indeed, omitting a single allusion in 2 Kings xii. 17—which, however, is disputed—and some notices in Ezekiel (xl. 39; xlii. 13; xliv. 29; xlvi. 20), there is not a single reference to the trespass-offering outside the Pentateuch before the days of Ezra. The only historical observance of it is the one he orders in the case of those who had married foreign wives.

The very nature of the offering furnishes just and sufficient ground for this. It is, as before remarked, of a purely private and individual character. For this reason, doubtless, it is not mentioned in connection with burnt and sin offerings in the well-known passage of the Psalms (xl. 7). The post-exilian literature is as bare of it as the preëxilian (Bar. i. 10). Consequently, the argument from silence is worthless for proving the earlier non-existence of this form of sacrifice. When, in the post-Mosaic times, it is first mentioned (see the passages in Ezekiel above cited), it is without circumlocution or explanation of any sort, as something already understood. No law original with the exilian scribes, or in their period, could have been introduced with the abruptness and apparent inattention of this, in the Book of Ezra, where (x. 19) it is said of the offending priests: "And having trespassed, (they furnished) a ram of the flock for their trespass."

Of Release from Vows (Lev. xxvii. 1-34).—It is noticeable that the chapter which contains the law concerning vows, especially their commutation, is

¹ Once (Num. v. 8) the ram of the trespass-offering is entitled a "sin-offering."

made apparently with design an appendix to the Sinaitic legislation (cf. Lev. xxvi. 46). It concerns the regulation of a permanent custom (cf. Gen. xxviii. 20 ff.; Deut. xxiii. 22-24), which might not be overlooked, but which, properly speaking, formed no part of the positive religious institutions of Israel.

The Hebrew literature shows that vows of a religious nature were exceedingly common in the earlier periods of the history, and this of itself would render it exceedingly probable that they early came under the restriction of written law (Judges xi. 30; 1 Sam. i. 11; Job xxii. 27; Jon. i. 16; Prov. xx. 25; Eccles. v. 3-5).

Again, it is clear that regulations of this sort would be far more likely to spring up in the period before the conquest, when such high hopes ruled respecting the promised land, than in the poverty-stricken times of Ezra when, even for the ordinary sacrifices required by their ritual, the Israelites were so largely dependent on the generosity of their Persian lords (cf. Ezra vii. 11-26).

And, still further, the exilian and post-exilian practice in the matter of vows is of such a nature as to render extremely precarious the theory that our present law arose in, or about, the year 444 B.C. Malachi, whose prophecy dates from the time of the second residence of Nehemiah in Jerusalem, we find castigating the contemporary Israelite for so bold an evasion of our code as the substitution of a worthless female victim in place of the male that had been pledged (i. 14). He singles out for condemnation, that is, a form of transgression which on the supposition of the introduction of this code just before would have been next to impossible. It had expressly forbidden this very thing, and, what is more to the point, forbidden it

on the penalty of losing both the animals (Lev. xxvii. 10). Moreover, from this time downward the degeneracy grew apace, until at the beginning of the Christian era men had come to excuse themselves from the holiest of duties on the vain plea that they had made a vow conflicting with them (Matt. xv. 5; Mark vii. 9 ff.).

Of the Nazarite (Num. vi. 1-21). — The vow of the Nazarite differed from the ordinary one in that it affected the person, was one of abstinence and of separation unto the Lord. It was a kind of voluntarily assumed priestly sanctity. The long hair of the Nazarite, it might be said, answered, in its way, to the regalia of the sons of Aaron. His abstemiousness and avoidance of ceremonial defilement went even beyond theirs. His whole life, as a Nazarite, must begin anew, if, by chance or by design, his vow had been violated.

That this peculiar institution, now, was of Shemitic origin (cf. Jer. xxxv.) and that it antedated the age of Moses there can be no reasonable doubt. The cases of Samson and of Jephtha show that it was already a well-known custom in the period of the judges. And the law before us has clearly the aim to regulate the custom in unison with the ritual of the central sanctuary. When the prophet Amos (ii. 11, 12) fixes upon this as a characteristic mark of the desperateness of his times, that when God had raised up Nazarites among his contemporaries of the northern kingdom, they had given them wine to drink, it is alone the recognized legal obligation of the Nazarite that gives special pertinency and force to the charge.

The revival and expansion of the order in the time of the Maccabees is quite too late a phenomenon to be

an echo of exilian legislation (cf. 1 Macc. iii. 49). Not a trace, in fact, appears of it from the purely incidental reference of Amos to the equally incidental one amidst the reforms of Judas Maccabæus. Priests were not so plentiful on the return from Babylon, nor a life of sanctity so sought after, that a law of the nature of this would have been the natural product of the period; or, if arising then, would have been so completely overlooked by its chosen annalists.

Rite of Purification at Childbirth (Lev. xii. 1-18). — It is to be emphatically denied that the Bible gives any encouragement to the sentiment that the mere act of giving birth, or the fact of having given birth, is a defilement. The condition into which a woman is brought by the birth of a child is said rather to be like the impurity of her monthly illness (vs. 2). It was, to a certain extent, the effect and evidence of death. Such death, as the penalty of sin, had not only a physical, but a moral, character. One needed, therefore, to be ceremonially purified from it. Now, while the Jews shared with other nations of antiquity this general sentiment and various laws of purification, still they moved on quite another plane. It cannot be shown that either in their deeper moral sense of what this impurity was or their special rules for recognizing it and freeing themselves from it, they were indebted to popular influences without themselves. We know of no nation antedating Israel, and in contact with it, that could have supplied these regulations, much less giving evidence of an ethical standard requiring them.

We find, moreover, the prophets of the earliest period, Amos, Hosea, Micah, Isaiah, and Jeremiah, governed by the same general conception, and appar-

ently appealing to the same fixed laws, that appear on this subject in Leviticus (Hos. ix. 3 f.; Am. vii. 17; Mic. ii. 10; Is. xxx. 22; Jer. xix. 13; cf. 2 Kings xxiii. 10).

The priest-prophet Ezekiel, it is true, shows an enhanced interest and zeal in the direction of ceremonial purity. But it is no more than might have been expected from one who represented here the bloom of prophetic teaching. For there can be no doubt that it was the prophets who practically did most toward developing, in Israel, the inclination for ceremonialism, even while fighting it in itself, by the very stress they laid on the ethical verities that lay beneath it. The development everywhere is of such a sort as to require the presupposition of some regulative norm corresponding to the law of the middle books of the Pentateuch. It is too uniform, it is too persistent, it is too serious in its demands upon the conscience to be the offspring only of an uncertain, popular custom.

Purification by Means of the Ashes of a Red Heifer (Num. xix. 1-22). — In the peculiar ceremonial of purification in which the ashes of a red heifer were employed, it was still the sense of impurity produced by death that chiefly ruled. And it is not to be overlooked that it is the Jehovist who places at the beginning of his document the weighty words: "In the day that thou eatest thereof, thou shalt surely die" (Gen. ii. 17). In this one sentence is recognized and asserted the vital principle that underlies every Elohist ordinance of purification.

The present law bears no date and has no history. In the order of the narrative, it belongs to the second year of the exodus. If it were given in immediate

connection with the plague that followed the rebellion of Korah, as may reasonably be supposed, it could have had no wiser setting of circumstances. The fact that the divine communication concerning it is made to Moses *and* Aaron is worth noting. It is unusual. Aaron's installation as high-priest is thus assumed, which, if it be not a conscious perversion of the truth, is a striking support of it.

Then, further, it is to be observed that, notwithstanding the high-priesthood of Aaron is so assumed, Eleazer is represented as the one who carries out in detail the provisions of this statute. This would scarcely be the method of an inventor, especially of one inspired with the purposes ascribed to the exilian projectors of the Levitical system. Besides this, the people are spoken of as though still in camp (vs. 3, 9). The tabernacle is at the centre of ritualistic worship. Instructions are given, which, in the later times, were no longer understood. Others are omitted which needed then to be supplied. In fact, the form that this rite assumed in post-exilian Judaism proves anything else rather than that it was an institution owing its origin to the austerities of the Babylonian exiles.¹ The biblical books give us no authority for assuming that they ever actually practised it at all.

Feast on the first of the Seventh Month (Lev. xxiii. 23-25 ; Num. xxix. 1-6). — The feast whose observance was appointed for the opening of the seventh month is of importance from a critical point of view out of all proportion to any emphasis that is laid upon it in the historical books. It is not so much as mentioned in these books, or anywhere else in the Bible, outside of the two passages cited from Leviticus and

¹ See Riehm's *Handwörterbuch*, s.v. "Sprengwasser."

Numbers, unless it be in Neh. viii. 9-12. And if the event recorded in Nehemiah be a reference to it, it will repay a little careful attention. For it is of this passage that it is oracularly declared that it marks the primal introduction of the "Priests' Code."

It was at this assembly, it is alleged, on the first of Tisri of the year B.C. 444, that Ezra, in the presence of Nehemiah and with his countenance and coöperation, proclaimed to the returned Babylonian captives the priestly laws of the middle books of the Torah, to which they had hitherto been total strangers.¹

But it is remarkable, at the outset, that in this passage in Nehemiah the whole people recognize, spontaneously for all that we know to the contrary, the first day of the seventh month as one to be scrupulously observed. They gather voluntarily at the water-gate in Jerusalem on that day. Then, further, we find Ezra, without extraordinary announcement reading to the gathered populace from "morning until midday" out of what is termed "the book of the law of Moses." The people themselves request him so to do. And the book is brought to him from some quarter where it seems to have been sacredly deposited. As he reads the voice of incontinent weeping breaks forth from the assembled multitude.

What is it that so touches the cords of tender feel-

¹ "Dieses Priestergesetz war noch unwirksam als Maleachi aufrat, bis Esra am 1. Tishri des J. 444 in Beisein Nehemia's vor dem Wasserthore Jerusalems es (nach Giesebrecht sogar schon wesentlich so, wie es jetzt im Pentateuch vorliegt, mit den anderen Thôrôth zusammengearbeitet) proklamirte. Da beugte sich die Priesterschaft, der die Hut des mosaischen Gesetzes befohlen war, und das ganze Volk in allen seinen Ständen von oben bis unten sofort widerspruchslos unter das Joch dieser neuen Thora! Und wer war denn der Verfasser des fortan massgebenden Priesterkodex? Esra selbst kann es sein, sagt Kayser. Aber nein, er nicht sagt Wellhausen. Wer also denn! Hier fehlt die Antwort und unser Staunen wächst, denn um so kühner war der Gewaltstreich des Reformators und um so schafsmässiger die junge Kolonie, die sich in das neue Gesetz von so obskurer Entstehung einpfirchen liess."—Delitzsch, in *Zeitschrift für kirchliche Wissenschaft*, etc. 1880, p. 624.

ing? Is it the "Code of the Priests"? What part of it, pray? Can it be the detailed instructions given for washing, clothing, and installing their ecclesiastical leaders? Or is it the description, chapter by chapter and verse by verse, of the tabernacle of Exodus, the clever work of Bezaleel and Aholiab, the rings, the staves, the curtains, the knops, and the bowls? If the chiefs of the exilian congregation had any real designs upon it of the nature described, they would surely have spared them an ordeal of this kind. But if it was not the *Levitical laws that were read and explained* and that drew forth responses so unexpected and overwhelming, then what foothold is there anywhere in the record for the theory that this was the occasion of their *earliest introduction*?

Still further, we notice that it is not alone Ezra who is concerned in this matter of the first of Tisri, B.C. 444. On the right hand and on the left, he is officially supported by more than a dozen priests whose names are carefully given. As many prominent Levites circulate among the people with the same intent. And Nehemiah, the civil governor, does not fail, as we have intimated, to second, by word and act, the whole proceeding. If it be masquerading in the name and character of Moses, it is clear that all the principal representatives of Israel are implicated in it. It is no usurpation by any single man or class; it is a conspiracy on a gigantic scale. But to suppose that these men could thus have duped their contemporaries into the acceptance of laws as Mosaic which were not so; to suppose that had they perpetrated such a fraud there would not be the slightest trace of it in the history or traditions of the period; to suppose, in view of the great moral purpose obviously lying at

the basis of this as of all other portions of the Pentateuch, that any of these persons, or any one associated with them, would wish so to impose on the credulity of his generation, are all, and severally, impossible suppositions; and any theory that bases its support upon them is unworthy the confidence of Christian men.

Moreover, let us look more closely at the way in which these colonists from Ahava celebrate their festival. It has every appearance of being an imperfect resumption of customs long neglected. According to the ritual of the "Priests' Code" the day was to be introduced by the blowing of trumpets. Here there appears to be nothing of the kind. The people are far more ready to weep than to rejoice.

For this day there had been ostensibly appointed, too, a fixed number and order of animal sacrifices, burnt-offerings, meal-offerings, and sin-offerings. Not a vestige of them is seen here, however. On the contrary, after the ceremony of the public reading from the Pentateuch has been concluded, the people are enjoined, in phraseology as strange to the ritual of Leviticus and Numbers as to the earlier historical books, to go their way, *eat the fat*, drink the sweet, and send portions to them for whom nothing had been prepared. If this were mainly an effort to establish and give currency to the cycle of Levitical festivals, why are the most essential features of this one overlooked and elements so foreign to it authoritatively introduced?

The Day of Atonement (Ex. xxx. 10; Lev. xvi. 1-34; xxiii. 26-32; Num. xxix. 7-11).—The most important critical questions involved in the ritual and history of the day of atonement have been already considered.¹

¹ See p. 111 f.

The hypothesis that assigns its origin to any late period falls by its own weight. It is as true of this observance, as of that of the feast of trumpets, that no certain mention is made of it in the historical books of the Old Testament previous to the exile. But the same may be said of the post-exilian annals of the Jews. Josephus¹ is the very first to refer to the matter. The argument from silence, therefore, is of no worth in the present case.

The manner in which it appears in the code, however, deserves attention. It is confined to no one phase of it, but it is treated in four different passages belonging to three separate books of the Pentateuch. In Exodus there is but a bare allusion ; still one that is as significant for its comprehensiveness as for its brevity. It presupposes the existence of the ritual and refers to the one annual observance of it, which it rigorously enjoins for all the future.

Of the passages in Leviticus, one details in full the solemn offices of the high-priest, the other characterizes the duties and obligations of the day from the point of view of the people. In Numbers the required sacrifices are enumerated. Such a fourfold presentation of the law is a fact of moment. It can never be made to harmonize with the assumption that it is a product of reflection "by the waters of Babylon."

Again, if there are no references in the prophets or historical books that positively prove a preëxilian observance of the day of atonement, it is just as certain that there are none that disprove its potential existence in the statute.² In the meantime, other evidence is not wanting of its Mosaic origin. Every

¹ *Antiq.*, xiv. 16. 4.

² Delitzsch has conclusively established this in the *Zeitschrift für Kirchliche Wissenschaft*, pp. 173-181.

phase of the law is introduced by the statement that it comes from him. The very occasion of its first announcement is declared to be the conspiracy of Nadab and Abihu, a circumstance that has not the slightest tinge of invention about it (Lev. xvi. 1, 2). It stands or falls, moreover, with other alleged Mosaic institutions, some of which have the support of the Jehovist, equally with the Elohist, documents. The doctrine of the atonement, in fact, holds no more central place in the Christian religious and dogmatic system than does the day of atonement in the Jewish ethical and ritualistic. There is not, for instance, an allusion to the ark with its peculiar covering—and there are more than twenty such references in Exodus and Leviticus—that does not recognize the one most conspicuous feature of the day of atonement. The title “mercy-seat” seems to have had no other formal or moral basis than the characteristic act of the high-priest in sprinkling there the blood of atonement. In the second temple there was no ark at all.¹

Such, now, are a few of the particulars in which laws peculiar to the so-called “Priests’ Code” may be shown to correspond to the character and origin they claim for themselves. The great proportion of them, it will have been observed, are double-acting. They not only favor or force the presumption of the genuineness of the laws, but they disprove the contrary.

The testimony, moreover, is singularly uniform and hence cumulative. It has a decided qualitative value too, as well as one of quantity and uniformity. “It is not the evidence of witnesses first schooled and cautioned and then brought into court to do their

¹ The technicalities of our law, too, in other respects are just as conspicuously not exilic. Its word for fasting, for example, is *qum*, a word which is without a parallel in the Pentateuch, another expression being always used for it,

best for the party by whom they are summoned." ¹ It is the purely incidental testimony rather of scores of disconnected facts and events which, notwithstanding, point in one direction and voice one conclusion.

"Every revolution," says Emerson,² "was first a thought in one man's mind, and when the same thought occurs to another man it is the key to that era. Every reform was once a private opinion, and when it shall be a private opinion again, it will solve the problem of the age."

One great difficulty with a certain current type of critics is their unwillingness to acknowledge that the brain of a Moses could have conceived and have carried such a system of laws as we have been considering. If it was first a thought in some man's mind, there is no man of Old Testament times more likely than he to have had that thought. That the same thought did not also, at once, occur in ripeness and fulness to his contemporaries is no anomaly. Revolutions are a growth. Private opinion becomes public opinion only by long preparatory processes of evolution, preceded by equally long and rigid ones of involution and digestion.

When the thought of Moses did actually occur, if formally rather than spiritually, to other men, and his private opinion became, by virtue of hard experience, their private opinion, it solved the problem of post-exilic Judaism; it became the key to that prolonged after-era of legalism.

With a lawgiver of Mosaic stature and prescience there, with a scribe Ezra here, and a thousand years of Israelitish disciplinary history between, no incongruity of the narrative surprises us. Given a Moses, this

¹ Isaac Taylor, *Historic Proof*, London, 1828, pp. 21, 22.

² *Essays*, p. 8. New York: Lovell & Co. 1884.

Moses of the Bible at the genesis of the development, and an Ezra was sure to follow sooner or later. Deny, however, the Moses of biblical history and you make an Ezra — certainly this Ezra — a wholly impossible character.

The chief figure of his times, he has in that case only his supreme assurance and adroitness to recommend him. Portrayed as a man who fasts and prays and is eager for reform, we see that it is simply as a cloak for plans of self-aggrandizement. The first to occupy a pulpit, he is the first to prostitute it to evil ends. Reputed to have been a principal in fixing the canon of the sacred books, the information fails to entertain us; for the books on that very account become other than sacred in our eyes. In short, it is no fair compensation for a loss like that of a Moses of the exodus that we are blandly introduced to this Ezra of critical manipulations and hypotheses. Our admiration of him grows in inverse proportion to our knowledge of his character and the biblical record of his life.

TABLE OF LAWS PECULIAR TO THE
"PRIESTS' CODE."

SUBJECT.	EXODUS.	LEVITICUS.	NUMBERS.
Blasphemy,	. . . .	24: 15, 16.	15: 30, 31.
Sacred Vestments,	28: 1-43.	. . . .
Consecration of Priests,	29: 1-42.	6: 12-16; 8.	
Anointing Oil,	30: 22-33.	10: 8-11; 21: 1-24.	
High Priest from Eleazer's Line,	. . . .	. . . .	25: 10-13.
Who might Eat of the Sacrifices,	. . . .	22: 1-16.	18: 10 ff.
Special Prerogatives of Priests,	. . . .	. . . .	6: 22-27; 10: 1-10.
Tabernacle and its Furniture,	25: 1-27; 19; cf. 36: 1-38;	. . . .
	31.	. . . .
Altar of Incense,	30: 1-21, 34-38.	. . . .
Table of the Shew-bread,	25: 23-30.	24: 5-9.	
Care of the Lamps of the Taber-			
nacle,	27: 20, 21.	24: 1-4.	8: 1-4.
The Burnt Offering,	. . . .	1: 1-17; 6: 1-6.	28: 1-15.
Meal and Drink Offering,	. . . .	2: 1-16; 6: 7-11; 10:	
		12, 13.	15: 1-12; chap. 28.
Peace-Offering,	. . . .	3: 1-17; 7: 11-34; 19:	
		5-8; 22: 29, 30.	
Sin-Offering,	. . . .	4-5: 13; 6: 17-23.	15: 22-28.
Trespass-Offering,	. . . .	5: 14-26; 7: 1-10.	5: 5-10.
Of Release from Vows,	. . . .	27: 1-34.	
The Nazarite,	. . . .	. . . .	6: 1-21.
Purification at Childbirth,	. . . .	12: 1-8.	
Purification by the Ashes of a	. . . .	
Red Heifer,	. . . .	. . . .	19: 1-22.
Initial Feast of Seventh Month,	. . . .	23: 23-25.	29: 1-6.
The Day of Atonement,	30: 10.	16: 1-34; 23: 26-32.	29: 7-11.

VII.

UNITY AND GENUINENESS OF DEUTERONOMY.

THE surprise awakened by recent archæological discoveries in Assyria and Egypt has left, as yet, little opportunity for gauging their proper scientific and religious value. That they are to be accorded a place of increasing prominence in the province of biblical criticism there can be no doubt. To have, in addition to Moses and the prophets, the testimony of such as have risen from the dead is a favor not granted to every age. The tone of assumption might well grow milder and the hand of violence less hasty in the presence of witnesses like these.

We read with less patience an hypothetical history of Israel dating simply from the period of the judges, with the storehouses of Pithom and their exodus product, of bricks with straw and bricks without straw, just rising from the dust before us. We spare ourselves the strained attention needful to follow a fine-spun argument designed to prove the barbarity of the Mosaic period, with a voluminous literature in hand reaching back to the patriarch Noah, and representing in developed form every species of composition known to the Bible. We have something tangible with which to resolve, at least to make credible, many a so-called myth of Genesis in the diluvian slabs of our museums, covered with a contemporaneous literature, and artistic seals before us which were worn by gentlemen of Ur of

the Chaldees before the days of Abraham. We rise up, in short, from the reading of such a book as Sayce's *Fresh Light from the Ancient Monuments*,¹ Schrader's *Keilinschriften und das Alte Testament*,² or Hommel's volumes on *Die Semiten und ihre Bedeutung für die Kulturgeschichte*,³ or the works of Brugsch-Bey and Ebers on Egypt, with the feeling that, notwithstanding the scholarly equipment and stubborn confidence of those assailing the historical genuineness of the Pentateuch, its defenders have no occasion to be daunted. As often before, the earth is helping the woman.⁴ Deductions have been based on a far from complete induction. The goddess Isis is represented on the Egyptian monuments with the *crux ansata*, or sign of life, in her right hand, and in her left, as a wand, a papyrus stem.⁵ And who shall say to what honor the humble papyrus leaf and its companion witnesses may yet come in the hands of that Providence which began with the beginning, and will go on with its great purposes to the end, of human history?

Moreover, if the course of Old Testament criticism be followed from its inception to the present time a similar impression will be made by no small part of it of inconsequent claims and preposterous conclusions. And to this characterization the Book of Deuteronomy offers no exception. It was English deism that first

¹ The Religious Tract Society (London, 1884). This author remarks (Preface, p. 3): "The same spirit of scepticism which had rejected the early legends of Greece and Rome had laid its hands on the Old Testament and had determined that the sacred histories themselves were but a collection of myths and fables. But suddenly, as with the wand of a magician, the ancient eastern world has been reawakened to life by the spade of the explorer and the patient skill of the decipherer, and now we find ourselves in the presence of monuments which bear the names or recount the deeds of the heroes of Scripture. One by one these 'stones crying out' have been examined or more perfectly explained, while others of equal importance are being continually added to them."

² Leipzig, 1881, 2te Aufl., 1883.

³ Leipzig, from 1881.

⁴ Rev. xii. 16.

⁵ Wilson, *The Egypt of the Past* (London, 1881), p. 15.

set afloat the theory that the work was the product of the seventh century, an essential forgery of the subtle priest Hilkiyah.¹ And for more than a century since there is scarcely an hypothesis from A to Z that has not been inquisitively tried upon it; but only to leave the criticism of to-day as widely divergent as ever in its opinions.

At the beginning of the present century Vater assigned the book to the period of the exile.² De Wette, the several editions of whose *Introduction to the Old Testament* are a literary curiosity in the variety of views they have from time to time represented, finally, like his English predecessor, fixed upon the period of King Josiah as the date of its completion and surreptitious introduction, excepting some minor portions thought to be products of the Assyrian period.³ Stähelin held that the author of Deuteronomy was the same person who worked over the fundamental Elohim document—now called the “Priests’ Code”—extending through the first four books of the Pentateuch and the Book of Joshua, and that he brought the whole Hexateuch to its present state during the reign of Saul.⁴ Bleek⁵ advocated somewhat similar views, but maintained that Deuteronomy was composed by a later independent editor—not the Jehovist—who closed up his labors with this production about the time of Manasseh. The Song of Moses (xxxii.) was written, he claimed, by some poet of the time of Ahaz or Hezekiah. There was nothing whatever in the book, he averred, or in any part of the Pentateuch, to justify the theory of its composition as late as the exile. It was,

¹ Parvish, *Inquiry into the Jewish and Christian Revelation*, p. 324.

² *Com. über den Pent.*, vol. iii. pp. 391-728.

³ *Einleit.*, Achte Ausgabe, p. 323.

⁴ *Studien und Kritiken* (1835), p. 462 f.; *Specielle Einleit.* (1862), pp. 22-34.

⁵ *Einleit.* (1878), p. 105 f.

in fact, the whole Hexateuch that was found in the temple by the priest Hilkiah. Movers,¹ in an exhaustive monograph, demonstrated the utter groundlessness of the supposition that Deuteronomy was a forgery of King Josiah's time. Ewald² was of the opinion that the first thirty chapters of the work were written by some person in the time of Manasseh; the remaining chapters being a composite, but of not much later date. Knebel³ adopted the theory that the author of Deuteronomy (i.-xxxi. 14) was the one who wrote also a large part of Joshua, and brought the whole Hexateuch to its present state not earlier than the reign of Josiah.

It will be noticed that up to this point the drift of sentiment—a drift it should be called—is almost altogether in the direction of making Deuteronomy the youngest portion of the Pentateuch. It is well represented by Bleek, who says:⁴ “It may be held as certain that the Deuteronomic laws, together with the addresses they contain, as, indeed, the whole of Deuteronomy from the beginning, was written with reference to the preceding history of the people and the legislation of Moses, and to continue and supplement it. And it is decidedly false to hold with Vater, Von Bohlen, Vatke, and George that Deuteronomy with the laws it contains is older than the foregoing books with their legislation.” And yet, to-day, this camp of Bleek and his illustrious compeers—De Wette, Ewald, and others—is confronted by a large body of scholars, marshaled by the latest editor of Bleek's *Introduction*, who confidently assert the direct opposite of that so confidently asseverated by these acknowledged masters of Old Testament criticism.

¹ *Zeitschrift für katholische Theologie*, 1834, 1835.

² *Geschichte d. Volkes Is.* (1843, 3te Aufl., 1864), i. 96 f. *et passim*.

³ *Commentar (in Kurzgefasstes exeget. Handbuch zum A. T., 1861)*, p. 579 f.

⁴ *Einleit.*, *ibid.* p. 107.

Reënforced by Graf, Kuenen, Kayser, Wellhausen, and many more, the condemned theory of Vater and Vatke is now in the ascendant. And though the hypothesis of the origin of the Deuteronomic legislation a great while after the age of Moses is retained, it is made, with a slight exception, the introduction to, and not the conclusion of, the Pentateuch codes; while its historical portions are relegated to that convenient limbo of all otherwise unorganized material, the time of the exile. Is it a better scholarship or a sharper critical acumen that has brought about so radical and revolutionary a change of front? We venture to suggest that it is the growing influence of the doctrine of naturalistic development. The fathers of Old Testament criticism held in no mean estimation the sacred Scriptures themselves as something to be considered, reverently studied, deferred to.¹ Their sons, it would seem, carried away by the subtle but imperious spirit of their time, can see nothing, venerate nothing, save their Procustean hypothesis of historical evolution.²

Moreover, we find just as little essential harmony among the later scholars as among the earlier; perhaps

¹ De Wette's remark (as quoted by Kleinert, *Das Deuteronomium*, p. 3): "I did not begin the criticism. Now that it has begun its dangerous game, it must be played through; for only that is good which is perfect of its kind," is reverence itself compared with some of Wellhausen's utterances.

² Rawlinson, in his recent book, *The Religions of the Ancient World*, arrives at the following conclusions (p. 242 f.): "The historic review which has been here made lends no support to the theory that there is a uniform growth and progress of religions from fetishism to polytheism, from polytheism to monotheism, from monotheism to positivism, as maintained by the followers of Comte. None of the religions here described shows any signs of having been developed out of fetishism, unless it be the Shamanism of the Etruscans. In most of them the monotheistic idea is most prominent *at the first*, and gradually becomes obscured, and gives way before a polytheistic corruption. In all there is one element, at least, which appears to be traditional, namely, sacrifice, for it can scarcely have been by the exercise of his reason that man came so generally to believe that the superior powers, whatever they were, would be pleased by the violent death of one or more of their creatures. Altogether, the theory to which the facts appear on the whole to point is the existence of a primitive religion communicated to man from without, whereof monotheism and expiatory sacrifice were parts, and the gradual clouding over of its primitive revelation everywhere, unless it were among the Hebrews."

there is even less of it. They are not agreed on the question whether Deuteronomy is a priestly or a prophetic document ; whether it was forged in the time of the early kings or only found then ; whether it is essentially a unit in its history and laws, or the historical portions were framed about the laws by some exilian expert in literary appropriations and adaptations ; whether its laws, as now extant, came from one hand or have been considerably modified in their transmission ; whether some of the book is Mosaic, by way of oral tradition, or none of it ; whether it claims to be from the lawgiver of the exodus, or makes no such claim ; whether, if it be not what it purports to be, it is to be regarded as a gross offence against morality, or one to be readily condoned as simply a *legal* fiction, in the sense of Roman jurisprudence and, as we suppose, of Roman morals. In such a state of things there is clearly, as yet, no logical obligation laid upon us to leave the old moorings. There is one thing to be dreaded even more than conservatism, and that is chaos. We accordingly proceed to inquire whether it be not possible on other principles, lying near at hand and scientific in their nature, — using that word in its truest sense and not as a shibboleth, — to reach results before which a candid judgment will readily bow.

First, then, there are abundant, and abundantly satisfactory, grounds for maintaining the literary and material unity of the Book of Deuteronomy. It is a remarkable example of it in its outward form. One might be safely challenged to point to another book of the Bible that is more so. The few verses of introduction are singularly appropriate (i. 1-5) and so detailed as it respects dates and places, amounting almost to a species of literary triangulation; that it

scarcely offers a choice between a theory of honest history and egregious, not to say impossible, invention. It tells just where the Israelites were when these addresses were uttered, fixing the spot, as I have said, with little less than geometric exactitude by references to half a dozen other places in the neighborhood. It gives the year of the wilderness wanderings, the month, and even the day of the month, in noticeable, though clearly undesigned, coincidence with other important chronological data of the history. The crossing of the Jordan was on the tenth of Abib of the following year (Josh. iv. 19). The previous month had been spent in mourning for the departed chief (Deut. xxxiv. 8). Hence ten, full, solemn days are left for the delivery of the great discourses of our book. The whole is popular, hortatory, retrospective, and spiritually elevating, nowhere falling below the key struck in the opening announcement: "These are the words which Moses spake unto all Israel."

The first address (i. 6-iv. 43) is a pertinent review of the salient points in the history of the preceding forty years, especially in its bearing on the present emergency. It looks and points directly forward to the following section, and is logically and indissolubly bound to it by continual and emphatic reference under the title of "this law," "these statutes" (i. 5; iv. 1, 2, 6, 8, 9, 14, 44), although being itself, in this part, solely a *résumé* of well-known historical events. It ends with Moses' selection of the three transjordanic refuge cities, serving at once as the fulfilment of a promise (Ex. xxi. 13) and a pledge of heroic faith that their counterparts beyond the flood would also be achieved (Deut. xix. 1-13). The entire discourse in its present form might easily have been spoken in half an hour.

The second address (iv. 44-xxvi.), being the kernel of the book and a little more than three times as long as the first, occupies itself mostly with a free recapitulation, in popular form, of earlier enactments, but with such modifications and timely additions as prove the hand of the Master.¹

The third discourse (xxvii.-xxx.) forms as naturally the conclusion of the second as the first had formed its introduction. There the choice of the refuge cities witnessed to the heroic faith of Moses. Here the imposing ceremonial appointed for Ebal and Gerizim proves his moral earnestness and high prerogative as the lawgiver of his people. Seconded now by the elders, and again by the priests and Levites, he sets forth in words that echo and reëcho in every subsequent period of Jewish history the fact that God's laws have a reverse, as well as an obverse, side; that the divine covenant was, indeed, a hope and an encouragement, but was also a responsibility and a warning.

Then, in the following chapter (xxxi.), this grand old man, with a touching allusion to his infirmities and approaching death, in the presence of the people impressively passes over into the hands of his successor his great trust, and at the same time delivers with suitable instructions to the priests a copy of what he calls "this law." Up to this point what could be more obvious than a complete oneness of design and representation throughout our book? The beginning (i. 3, 5) looks forward to the end; and the end while taking up the very epithets and phrases of the begin-

¹Delitzsch (Curtiss, *Levitical Priests*, Preface, p. 9) with his usual sagacity has noted this fact, and speaks of the "psychological truth" of these "testamentary addresses, the freshness and richness of the Egyptian reminiscences, the freedom with which the author reproduces historical incidents, laws, and, above all, the Decalogue, a freedom which is scarcely conceivable except on the supposition that the speaker was the lawgiver himself."

ning carries on its thought to the only possible climax. It is, in short, the unity of nature, of inward logical dependence and sequence, and no uniformity forced upon it from without.

To this unity the two following chapters (xxxii., xxxiii.) containing Moses' Song and Moses' Blessing make certainly no interruption. They rather grow out of the circumstances that go before, as the flower from its bud. They are strictly Deuteronomic in the best sense of the word and fittingly crown the work; and both are documentarily claimed as utterances of Moses just prior to his climbing of Nebo on his way to the better Canaan. And finally, the closing sections of the book (xxxiv.), by some other sympathetic hand, that tell how Moses died and was buried according to the word of the Lord, and how the people mourned for him, and what they thought of him, form a conclusion for the whole that is as fitting as it is moving and beautiful.

No less than in its literary structure the book of Deuteronomy is a unit in its language and style. I am aware how uncertain arguments based on the mere coloring of language have come to be regarded. Undoubtedly too much weight has sometimes been attributed to them. But, in the present case, the fact is so patent that the scholar has little advantage over the unlearned, if he be an observant, reader. Still, the testimony of acknowledged masters in biblical criticism may serve to strengthen the impression which even a cursory reading of the book cannot fail to make.

Of these authorities Bleek deservedly stands among the foremost for candor and scholarship. It is with a refreshing confidence of tone that he expresses him-

self on this point :¹ "This book in general," he says, "offers unmistakably a greater unity of representation and of substance than the foregoing. This is true especially of the longer addresses, the didactic, as well as the legislative portions (i.-iv. 40 ; iv. 44-xxvi. ; xxviii.-xxx.). These parts are so much alike in language and all characteristic features that we may accept it as certain — and, moreover, there is scarcely any dispute about it — that they were, generally speaking, composed in the form in which they now lie before us by one and the same writer."

So Dillmann,² with no less assurance and directness, although writing twenty years later, and from a different point of view : "Deuteronomy is anything rather than an original book of the law. On the contrary, it is a new didactic recommendation and explanation of the old law for the people. Nothing is gained by sundering chaps. xii.-xxvi. from the rest of the book ; for here, too, there is everywhere manifest the same spirit, the same language, and the same purpose as throughout."

Delitzsch,³ likewise, while still holding, notwithstanding the desperate conclusions that have been drawn from it, the hypothesis of separate, determinable documents in the Pentateuch, considers that "the style of Deuteronomy marks it off indubitably as something unique and entire in itself." "Deuteronomy," he says, "to its close is cast in one mould. The historical connections, conclusions, transitions, statements have the same coloring as the addresses. The addresses are freely reproduced, and the reproducer is identical in person with him who composed the

¹ *Einleit.*, p. 106.

² *Die Bücher Ex. u. Levit* (in *Kurzgefasstes Handbuch*), Vorwort, pp. vii., viii.

³ *Zeitschrift für Kirchliche Wissenschaft*, etc. (1880), p. 504.

historical framework and the intermediate historical portions. In a similar manner, if in a less degree, this unity of coloring extends through Deuteronomy proper, that is, chaps. xii.–xxvi., containing the repetition of the law. All the constituent parts of the book, not excepting the legislative, are interwoven with expressions favorite with the work and peculiar to it.”

And Kleinert, in his well-known monograph on our book,¹ remarks: “The literary peculiarities of the law in Deuteronomy are at the same time peculiarities of the [historical] framework; and precisely the same literary individuality that confronts us in chaps. v.–xxvi. makes itself felt as well in chaps. i.–iv., as also in parts subsequent to chap. xxvii. The same didactic tone, there as here, pervades the discourse.”

It is true that Kleinert and the others mentioned support no one view of the origin and date of the work. It is true that their opinions are not uniform as respects its concluding portions. But as against the *ipse dixit* of current theorists, who have come to assume it as proved that Deuteronomy is simply block-work throughout, where sandstone from the exile is found side by side with the granite and gneiss of earlier periods, it should be decisive. As well in the strikingly logical arrangement of its everywhere harmonious material as in the confessed coloring of vocabulary and style, the work, in its main features, is a demonstrable unity.

In the second place, it can be confidently maintained that, whoever penned the Book of Deuteronomy as amanuensis or historiographer, if its own clear and continually repeated testimony is to be accepted, Moses is responsible both for its substance and general form.

¹ *Das Deuteronomium*, p. 160.

It does not simply belong to his time; it actually originated with him. It is essentially the product of his divinely illuminated mind, is thoroughly penetrated by his spirit, and in outward arrangement still carries throughout the peculiar individual impression he left upon it.

It would surprise one unacquainted with the subject to know how large a portion of the book is put directly into the mouth of the lawgiver and is represented to be spoken by him. By actual enumeration of verses, it makes fifteen sixteenths of the whole matter. Out of nearly a thousand verses, there are but about sixty that are not in the form of direct address, that is, that do not purport to be the word-for-word utterances of Moses himself. If the first thirty chapters be taken by themselves, the relative disproportion is much more marked; the average of introductory or explanatory material to what remains being only about that of a single verse to a chapter. All of the rest might be included in quotation marks.

It is by no means assumed that Moses was not also the author of a part at least of this subsidiary material. But the attention is now invited to the extraordinary form in which almost the whole book appears. The space required for introducing the speaker, stating the circumstances under which his series of addresses took place and what occurred after they were over, is the least possible, it would seem, for perspicuity. The rest comes under the simple rubric: "These are the words which Moses spake to all Israel" (i. 1), or something of that nature.

The name of the lawgiver is found thirty-seven times in the book, and in the great majority of cases it is

introduced with the special purpose of connecting him authoritatively with its matter. The strictly legislative portion (xii.—xxvi.) shares this peculiarity equally with the historical; the first person being used without exception. Omitting the last chapter, describing what took place after Moses relinquished his leadership, there are less than half a dozen exceptions to this uniform classification of the contents. Everything else is stamped and sealed, as it were, by such words as, "Moses spoke," "Moses commanded," "The Lord said to Moses."

It is a remarkable circumstance and one which cannot be overlooked or evaded in any worthy discussion of the genuineness of Deuteronomy. If the person to whom we are indebted for the book as we now have it, whoever he may have been, had deliberately set out to place beyond all dispute the question of Mosaic responsibility for its contents, it would be hard to say how he could have stated it more carefully or wisely.

This is not all. Not only is Moses made responsible for the substance of the book of Deuteronomy, he is equally so for its literary construction and expression. It is declared that he wrote it (xxxi. 9, 24), and wrote it "to the end"—an addition of no slight importance. It is true that the term employed is "this law," "this book of the law." Still, there ought to be no uncertainty on that account, considering the form in which the work is cast, its own usage as it respects this very term, and the admitted unity of language and style throughout. The whole book up to this point is meant.

Moreover, the so-called "Song of Moses" (xxxii.) cannot be excluded. Of this, too, it is said that Moses

wrote it at God's command, and taught it to the children of Israel (xxx. 22). Of the blessing with which it is declared that "Moses the man of God blessed the children of Israel before his death," it is nowhere specifically announced, indeed, that he also composed it and left it in a written form. The circumstances, however, leave scarcely any other inference open. He was not a man to recite another's composition on such an occasion. And if he thought it needful permanently to shape and fix the foregoing historical and legislative records, and was concerned not to leave them to the uncertainties of oral tradition, he would not think it less needful to do it with this series of predictions, whose fine shading of thought might be still more easily obscured and lost.

In saying now, however, that we have the authority of Deuteronomy that Moses composed and wrote Deuteronomy, we do not say, necessarily, that it teaches that it is actually his autograph; it may or may not be that. The Epistles ascribed to Paul are no less truly his, and were no less certainly written by him, because his own hand was not mechanically employed on many of them. It is simply meant that the Book of Deuteronomy makes the claim that it is Mosaic in its present literary plan and structure; but *this is* meant. And it is more, and is clearly intended to be more, than saying that the book is substantially Mosaic, gets its authority, under God, from Moses. It means that it was written under his eye, and received his approval as correctly reporting his utterances, which make up almost the whole of it.

It is not without significance that after authoritatively connecting the lawgiver so many times by name with the general contents of the work, and then

ascribing to him the writing of it to the end, it is further stated that the book thus completed was by him formally committed to the custody of the Levites for preservation beside the ark (xxx. 24 f.).

How in the face of all this circumstantial detail, whose truthfulness as a whole or in any particular there is not the slightest historical ground for questioning, one can still say that Deuteronomy makes no claim to be the work of Moses, it is not easy to understand. Or, admitting that such a claim is made, and so made, as well by implication as direct statement, over and over, in every part, conspicuously, emphatically, one can hold that it is simply for effect, and was never intended to represent a fact, is quite as inexplicable.

Why, it may be asked, if this were the case, is there nowhere discoverable in earlier or later Jewish history the shadow of a tradition that language is here used with so unheard-of a license? Is it credible that the whole Jewish race from Moses to Jesus Christ can have conspired to pose before the world in so false a character, and that too in the face of a statute for which mankind is confessedly their debtor: "Thou shalt not bear false witness against thy neighbor"? Is it likely that any small portion of it colluded to hoodwink the rest, and succeeded in doing it so far as to make them believe that they themselves had been eyewitnesses of various great events during a long period of years of which they were as ignorant as the man in the moon? "We saw," says the speaker, — you as well as I, — "the sons of the Anakim" (i. 28). "In the wilderness thou didst see how the Lord did bare thee as a man doth bear his son" (i. 31). "And I instructed Joshua at that time" [mark! Joshua, the man who succeeded

Moses], "saying, Thine eyes have seen all that the Lord did to these two kings" (iii. 21). Again, alluding to specific circumstances: "Your eyes have seen all that the Lord did because of Baal-Peor" (iv. 3; cf. Num. xxv. 3).

And not only does the writer assume and affirm, but he denies the opposite: "I speak not to your children, who have not known and who have not seen the chastisement of the Lord your God, his greatness, his mighty hand, and his outstretched arm" (xi. 2). And near the end of the book, as well (xxix. 3-5): "Ye have seen all that the Lord did before your eyes, . . . the great temptations, . . . the signs, and those great miracles. . . . And I have led you forty years in the wilderness." Four times, and in each of the three leading sections (ii. 7; viii. 4; xxix. 4), the length of time spent by Israel in the eventful journey from Egypt is alluded to.¹

If this be invention, it matters not in what king's reign or under what prophetic or priestly sanction it was invented; its impudence and dishonesty are only equaled by the stupidity of the people that did not discover that it was so, or discovering and knowing it have never made a sign that they accepted it otherwise than as literal fact.

It is claimed, however, that there are indubitable marks of a later origin stamped on the book itself—anachronisms, contradictions, incidental remarks, geographical, ethnographical, or explanatory—that, whatever else may appear to favor a Mosaic origin, point to a period long subsequent to his day for its compo-

¹ It is true that elsewhere a whole generation is said to have fallen in the wilderness (cf. Num. xxvi. 64, 65). It was, however, only the males over twenty years of age who had been put under the ban (Num. i. 3, 45, 49). The Levites had been exempt as well as the women and youth. So that the congregation was still identical with that which left Egypt.

sition ; at least, for the form in which it now appears. It may be well to consider here these objections, as far as they relate to the historical portions of Deuteronomy, before adducing additional reasons in support of Mosaic authorship. Still, let it be understood that it is not regarded as a matter of superlative importance. The fly on the elephant's back does not detract from the majesty of the elephant.

It may be acknowledged at the outset, without yielding an iota as it concerns the main point at issue, that our book has some scraps of supplementary material ; as, for example, to mention the principal one, the twelve verses of the closing chapter. And here and there a remark is thrown in, possibly editorial, or of the nature of what might originally have been a gloss, which, because there was no other place to put it, has found its way into the text. But every such case bears unmistakable witness to itself. There is just as little danger, in our book, of confounding this subsidiary matter with the body of the work as there would be if it appeared in another character, or was printed in a different color. As already noticed, fifteen sixteenths of Deuteronomy is in the form of direct address ; the name of the speaker being in every instance given and being in every instance the same.

To cite these exceptions, therefore, as evidence that a fictitious writer of a later day has unwittingly betrayed himself, is to make a simpleton of the writer. Either he meant to conceal his identity, or he did not. If he did, and carelessly dropped into this method of speaking, it was an example of imbecility wholly unworthy of the author of a book like this. If he did not mean to conceal his identity, but to have it understood that he was some writer subsequent to Moses,

then he just as certainly meant to have it understood that only for the occasional remarks appearing as such to the dullest intellect is he responsible, and that they are in no sense or degree intended to touch the question of the proper authorship of the book, which in more than a score of cases is directly imputed to Moses.

This supplementary matter, however, it is to be carefully noticed, insignificant as it is in amount, — making up, if we omit the concluding sections, but two per cent. of the whole, — is far from being of one character. The most of it is in the form of introductory statements or historical reminiscences, quite pertinent to the context, and differing from it only in the one circumstance that it is expressed in the third person instead of the first. If it did not originate with Moses, there is no intimation or proof that it did not. The mere fact that he is represented as one spoken of, instead of speaking, — the analogy of other biblical books being the standard, — is wholly unimportant. What is actually given out as spoken by Moses *in propria persona* could not be so represented without some such narrative portions. It is not the handle of the knife that cuts ; but the handle is no unnecessary means in the process.

Whether, therefore, Moses is to be directly chargeable with such prefatory remarks as “These are the words which Moses spake (i. 1 f.) ; “This is the law which Moses set before the children of Israel ” (iv. 44) ; “Moses called unto all Israel, and said unto them ” (v. 1), and some other like things, is only of the slightest consequence in its bearing on the question of the genuineness of Deuteronomy. He surely may have been the author of them for all that anybody knows

to the contrary. Inherent improbability arising from their contents and form there is none. But when these parts are subtracted from the one sixteenth of the book not included in addresses positively ascribed to Moses, the residuum is scarcely worth disputing about. It cannot, as already intimated, fairly be made a ground of dispute, if it be agreed that it is of the nature of later editorial additions but only as it is understood to represent the writer of the book. And then we have the question to settle, Is it of such a character as to misrepresent a Moses of the exodus?

In the first chapter, for example, the remark in verse 2, "There are eleven days' journey from Horeb by way of Mount Seir unto Kadesh-barnea"; and in verse 11, "The Lord God of your fathers make you a thousand times as many as ye are, and bless you as he hath promised you," are obviously parenthetical. The latter may have been uttered by the author of the work; the former is somewhat less likely to have been. Still, even such a remark would not have been without its force on his lips, as showing that a journey of eleven days, about one hundred and sixty-five miles, had been prolonged on account of Israel's intractableness, to one of many toilsome years. But if any one is disposed to object to such an explanation as forced, let it pass. There is really too little involved to require a discussion. Let it be supposed — it is as fair a supposition as any other — that some later hand, some editor, even as late a one as Ezra, made the addition, as he would no doubt feel that he had a perfect right to do; it would not prove the Book of Deuteronomy exilian; it would not cast so much as a shadow on its essential authority or genuineness.

Again, at ii. 10-12 (cf. vs. 29) the narrative is similarly interrupted by a remark concerning the peoples who had dwelt in Moab before Lot obtained possession, and in vs. 20-23 of those who had previously occupied the land of the Ammonites. These passages, also, may be editorial notes. Their form encourages such an hypothesis. They are quite unique, and even in our English version are put in parenthesis. In that case they offer direct evidence that the work as a whole has, and by even the cursory reader is assumed to have, a point of view and a course of thought that is peculiarly its own. In other words, as thus regarded, they could not be used as marks for determining the age of the work in which they are found, since they form no real part of it.

But there is no imperative necessity for holding them to be later additions.¹ Very late additions, it is clear, they cannot be; they imply too exact a geographical knowledge, and the other circumstances are too detailed. Besides, they have an immediate bearing on the thought of the context. If God had driven out many and strong nations before the descendants of Lot, and given them now a permanent possession which was not to be disturbed, would he do less for the descendants of Abraham and Jacob? Whoever wrote these verses had the intention of making the most of a fact encouraging to the Israelites on the eve of the conquest. Nothing, consequently, could be in closer

¹ The perfects in the last part of verse 12 may easily enough be prophetic perfects, and there is no inappropriateness in the way of speaking in verse 22 of the children of Esau in Moses' time as dwelling in Seir, "unto this day." Sime offers another explanation, referring the "land of his possession" to the conquests that had already been made east of the Jordan. "The context proves the accuracy of this rendering. 'Behold,' it is said a few lines afterwards (Deut. ii. 24), 'I have given into thine hand Sihon the Amorite, king of Heshbon, and his land, begin, possess.' The beginning of the conquest is the point insisted on by the writer of Deuteronomy, not its completion, of which he could have known nothing." — *The Kingdom of All Israel*, p. 438.

harmony with the spirit of our book. Then, further, it is not to be forgotten that if Moses had wished to introduce such incidental matter, he was shut up to this method of doing it. Footnotes were out of the question. Other ancient writers, and those not so ancient as he, like Herodotus, have written in the same way.¹

The note in iii. 9, "Hermon the Sidonians call Sirion, and the Amorites call it Shenir," has not the same clear motive underlying it and may be said to be logically unnecessary to the thought of the context. But when the importance of this mountain as a landmark in Palestine is considered, such a specification of its several names cannot be regarded as altogether superfluous. The question how Moses could have been informed of the facts here stated has been mooted. Since it has come to light, however, that both of the foreign designations of Hermon were well known in the cognate Assyrian tongue,² it can no longer be regarded as serious. It is also worthy of attention that both of these alternative names for the mountain appear in the later Hebrew literature (Ps. xxix. 6; Ezek. xxvii. 5; Cant. iv. 8; 1 Chron. v. 23).

So, still further, in the immediate context (vs. 11), what is said of Og's bedstead or sarcophagus; and, again, of the son of Manasseh (vs. 14), that he called the land he had obtained possession of by his own name "unto this day," one may explain as he will, the coloring of the passages is most emphatically not such

¹ In chap. cxxv. book i (see Rawlinson's *Herod.* vol. i. p. 248 f.), for example, a case quite similar to ours is found, where a narrative concerning Cyrus is broken in upon by a description of the different tribes that made up the Persian nation. "Now the Persian nation is made up of many tribes. Those which Cyrus assembled and persuaded to revolt from the Medes were the principal ones on which all the others depended. These are the Pasargadae, the Maraphians, and the Maspians, of whom the Pasargadae are the noblest."

² Schrader, *Keilinschriften*, etc. p. 158 f.

as might have been expected in a work written as late as the seventh century B.C. A critic must be hard pushed to take refuge in such a position.

It has, indeed, been objected that there would have been no occasion for calling the attention of Moses' contemporaries to such particulars concerning the land of Bashan, its king of gigantic stature, and the like. But that is not the point. It was not enough that they already knew these things. Deuteronomy contains, it is to be observed, an important addition beyond the account in Numbers (xxxii. 41). It cites the circumstance in order to draw an important lesson from it, as in the case just considered. The sixty so-called cities that had been captured were no easy prey for any marauding bands; they were fortified towns (see vs. 4, 5), "fenced with high walls, gates, and bars."¹ The victories had been signal ones. Should not the memory of what God had then wrought on their behalf inspire hope now, when they confronted the problem of conquering a home for themselves beyond the river? Such an allusion, therefore, is no inadvertence. It precisely represents and voices the main purpose of the book.

Nor is there anything in the concluding words "unto this day" that necessitates a different conclusion. It means no more than "so far," "until now." Some months, at least, had elapsed since these heroic tasks had been so thoroughly accomplished by the son of

¹ In view of what modern research has brought to light concerning these giant cities of Bashan, we are not only not surprised at such a reminiscence from the lips of Moses, but rather that he passes over the matter with *only* a slight reminiscence. Cf. Porter, *Five Years in Damascus* (London, 1855); *Giant Cities of Bashan and Syria's Holy Places* (London, 1860); Burton and Drake, *Unexplored Syria* (London, 1872). The difficulty that in Deuteronomy, Jair alone is mentioned as the conqueror and possessor of Bashan, while in Numbers Nobah is made to share it with him, and the apparent discrepancy in the number of cities, are explained, among other things, by Kurtz, *History of the Old Covenant*, iii. 467.

Manasseh; and that was time enough to justify this familiar phrase. It is similarly used by contemporaneous writers. "Ye have not left your brethren many days, unto this day," said Joshua to the two tribes and a half-tribe that had assisted their brethren in their earlier military occupation of Canaan (Josh. xxii. 3). And subsequently in reviewing his own life, this second great captain of Israel says to the people whom he had so often led to victory: "But you, no man hath been able to stand before you unto this day" (Josh. xxiii. 9). There is no room for uncertainty in these passages as to the length of time meant to be covered by the words "unto this day." It is illogical, consequently, to base upon them as used in Deuteronomy an argument for the post-Mosaic origin of the book, even supposing them to be an original and constituent part of it.

Again, it is claimed that the writer of Deuteronomy betrays himself as one impersonating Moses by his peculiar use of the Hebrew words, rendered "beyond Jordan," showing that he writes from the point of view of Palestine proper, and not of the plains of Moab. We submit that it is not the writer of Deuteronomy who betrays himself, but the objector, who puts a quibble in the place of a reason. This expression occurs ten times in our book (i. 1, 5; iii. 8, 20, 25; iv. 41, 46, 47, 49; xi. 30). There is not one case among them that without positive violence and a false exegesis will permit the inference that has been drawn from it.

The words mean, taken by themselves, "at the crossing of the Jordan." Used alone they point neither to the east nor the west side. Just what is meant in any given instance is a matter which can be determined only by the context. The writer of this book, in fact,

employs the words in the very same passage, intelligibly and with clear intention, to mean now the east, and again the west, side of the Jordan (iii. 8, 20). Conscious of the ambiguity of the phrase, he uses it in no single case where misunderstanding might arise that he has not himself guarded against it. He says, "on this side Jordan in the plain over against the Red Sea"; or, "on this side Jordan in the land of Moab"; or, "toward the sunrising"; or, "by the way where the sun goeth down." Every passage of the ten is thus rigorously insured against the possibility of error by means of an added explanation, excepting one (iii. 20), which does not need it. How absurd, in these circumstances, the ado that has been made, and continues to be made, over these words by critics, learned and unlearned, who seem never to have thoroughly examined the connection in which they stand.

Once more, the thread of direct address which prevails in the book is singularly dropped in the tenth chapter (vs. 6, 7). Moses is represented as discoursing of what took place at Sinai. The first tables of the law had been broken, the second prepared, and the ten commandments written upon them by the finger of God. "And I turned about," he says, "and came down from the mount, and put the tables in the ark which I had made; and there they are, as the Lord commanded me." Upon this follow two verses in the narrative form, relating to certain journeys of the Israelites in the wilderness and Aaron's death,—events that occurred many years later, the latter nearly forty years afterward,—from which the speaker just as suddenly goes back to the first person again and to what happened at Sinai.

The thought is as closely connected in verses five

and eight as though there had been no diversion. It looks like what would be called in geology a fault, a displacement of material. Still, it may not be so. Reasons of more or less pertinence have been given why Moses himself might have intentionally digressed in this way. For our purpose it is enough to notice that the digression does not reach beyond the Mosaic age. There is nothing in it to suggest the tampering of a later hand. If it be out of place, it is not out of character. If it be a fragment, it is to all appearance a fragment of Deuteronomy and bears the marks of the period of the exodus.¹

Finally, the so-called "Blessing of Moses" (xxxiii. 1-29), although introduced as from him, as we have already noticed, is denied to be his, because Moses, it is said, would never have styled himself the "man of God," as the title designates him. This, however, is not so certain. He surely might have done so without presumption. It is simply the name of an office, and the very same that elsewhere in this book Moses claims for himself, when he says: "A prophet shall the Lord your God raise up unto you like to me" (xviii. 15).

Still, suppose that Moses did not write the title of the poem, it would not follow that the poem is not his, as somebody in the ancient time — everybody, as far as we know — affirms that it is. There is nothing that appears from the simple reading of it that should lead an unbiased mind to a contrary conclusion. And Volck, one of the editors of the later editions of Gesenius's *Hebrew Lexicon*, who has written an exhaustive and masterly monograph of nearly two

¹ The list of places to and from which the journeyings are here said to have been made are, in general, the same as those found in Numbers (xxxiii. 30-33); but they differ somewhat in their spelling and are given in a different order. It is not to be forgotten, however, that the Israelites traversed the same ground more than once and in different directions.

hundred octavo pages on its less than thirty verses, reaches the conclusion that there is nothing in the poem itself to justify the calling in question the correctness of its title.¹

These, now, are the anachronisms, contradictions, geographical and ethnographical remarks which, as far as the historical portions of Deuteronomy are concerned, have been so much magnified by recent critics as furnishing positive evidence of the post-Mosaic origin of the book. I am not aware that there are others of any significance. How far from overpowering in quantity do they appear beside the thirty chapters of solid matter in the midst of which they stand ! And in quality they are even more disappointing.

They are admitted to be exceptions to the ruling form of the book ; but they do not give the response to adequate tests which they have been said to give and been counted on to give. We fail to find in one of them any indications, open or covert, that the book of which they form a part is the product of Hezekiah's reforms or Hilkiyah's finesse. Most of them are but loosely attached to the text at best. If they were taken bodily out of it, the book would be still left complete in all its essential features. Let them be looked upon either as instances where the writer forgot himself and unconsciously assumed his real character, — a supposition totally out of harmony with their nature, — or as later editorial supplements and superfluities, there is nothing in either case to justify the enormous conclusions that have been drawn from them. They are quite of the same stock as the body of the book. The writer or writers of them move in the same circle of ideas that rule throughout, wear the rough

¹ *Der Segen Mose's Untersucht und Ausgelegt.* Cf. pp. 154-160.

garments of the Israelitish wanderers, speak the dialect of the recent slaves of Egypt.

Whatever, in short, any supposed later writer or compiler may be thought to have overlooked in the form of the book to make it appear outwardly other than Mosaic gives no shred of encouragement to the theory that it belongs to a later age, after Joshua, after Samuel, after David, after the earthquake throes that divided the kingdom, after the reforms of an Asa or the pestilential wickedness of an Ahaz or a Manasseh. The positive evidence, as far as any exists, points uniformly in one direction; and the negative evidence, if so it may be called, does not disprove, but confirms, it.

Suppose the book were a composition of the royal period, as it has become largely the mode to affirm, or a mosaic out of different periods, none of them as early as David, and that the ecclesiastical enthusiast who wrote it or edited it actually sometimes forgot his *rôle*, as it has been asserted the Deuteronomist has done. Would he have left the traces of it that we find in our work? What strange threads of history rather, what bits of experience unknown to the beginnings of national life, what reminiscences of sacred places, what possible and every way probable coloring of sentiment, like that which makes the Psalter a mirror of Israel's inner being, might have been confidently expected in place of the limited range and uniform tenor of the matter we actually find?¹

¹ "Vast changes took place in Israel during the eight centuries which preceded the supposed forgery. A fugitive host of foemen entered and conquered Palestine, divided the country among them, and then for four centuries fought for existence as separate warring tribes. From being a republic, Israel became a limited monarchy. Kings took the place of judges, and one of them made the Hebrew State the first empire of his age. Under another, the kingdom so painfully raised to greatness was split in two, weakened by civil strife, and preyed on by powerful neighbors. At last the larger of the two frag-

Let us select, for example, a single prominent feature of Deuteronomy. If it have one, it is the emphasis it lays on the place of worship for Israel — that it is to be *one, the one* which the Lord their God should choose for them. Nearly twenty times within the space of a few chapters this matter is insisted on, without deviation in form or relaxation from its iron firmness of command. “Unto the place which the Lord your God shall choose out of all your tribes to put his name there, unto his habitation shall ye seek, and thither shalt thou come” (xii. 5).

The cultus of God was to be confined to a central shrine. The idolatrous and deadly worship on the “heights” was to be relentlessly rooted out. The writer, it is claimed now, had his eye on Jerusalem. He must have had, if he were Hilkiah or any *protégé* of Hezekiah. Not only was his eye upon it, but his heart was full of it, and a leading purpose of his work was to discourage worship at any other point; nay, to brand it as a positive transgression of a reiterated law of Jehovah by the mouth of his greatest legislator. And yet he never gets beyond this form of words: “unto the place which the Lord your God shall choose out of all your tribes.” He uses it with the history of the Israelitish cultus for more than half a millennium before him.

He knew of the sad degeneracy of the times next succeeding Joshua; of the falseness of Eli’s anointed sons; of Samuel’s heroic breasting of an evil tide; the

ments, after losing towns and provinces to Damascus, Moab, and Ammon, was itself repeatedly wasted, and then overwhelmed by the power of Assyria. Literature was cultivated among the Hebrews during these eight centuries. Changes, very striking to the imagination, took place in their worship and in their art of war. But of all these things there is not one word or one hint in Deuteronomy. If it be a true history, it could not contain references to them. If it be a forgery, no man could have written it without in some way or another showing his hand.” — Sime, *ibid.* pp. 415, 416.

full story of the ark in its wanderings from Gilgal to Shiloh and from Shiloh to Kirjath-jearim, its honors and its neglect, until David brought it, with psalms of rejoicing, to its present place on Mount Zion. He knew of the temple of Solomon and its memorable dedication in the presence of a united and happy people. He knew—the writer of a Deuteronomy of the seventh century must have known—of the civil conflicts that succeeded Solomon's reign; of the divisive efforts of a Jeroboam the son of Nebat; of the high-handed idolatry at Bethel and Beersheba; of the luxurious Samaria of Jereboam II.; of Asa's reforms, and Elijah's challenge to Baal's priests, and Jezebel's cruelty, and the heathenish Syrian altar of Ahaz in the temple court. And knowing it, we can judge from the spirit that rules in his work what he thought about it all—how keenly sensitive it made him to the desperate woes of his countrymen and the dishonor to his God. And still it is claimed that he wrote so repeatedly and so tamely: "unto the place which the Lord your God shall choose out of all your tribes . . . shall ye seek."

It is neither the sentiment nor the form of sentiment that we might have expected in view of such a history. It is quite too general and too lax. The evil Jeroboam might have claimed it as meaning his altar, as well as the good Jehosaphat. It is conceived in far too calm and too colorless a spirit. It implies a unity where there is already hot dissension and every sign of wild anarchy for the time to come. It is psychologically impossible, in short, that a man in the midst of the antagonisms of the later day, given a priest or prophet of whatever unparalleled nerve or adroitness, could have expressed himself in the manner the writer of Deuteronomy has done on the subject of divine worship.

Moreover, let it be remembered that, according to the theory, the book is to no slight extent an invention. The writer was bound to no method, was at liberty to manipulate material or manufacture it to suit his purpose. Why, then, is there nowhere a hint of such a place as Jerusalem, much less of its already historic sanctuary? His chief object, it is alleged, was to give the temple cultus the advantage of the oldest and the highest authority. How is it conceivable, in these circumstances, that he should not only use so equivocal an expression as "the place which the Lord your God shall choose," but keep the precise place he meant, the cynosure of mind and heart, so completely out of view?

More than this, his representations are misleading, on any such hypothesis, and Jerusalem is the last place that would be thought of. One would rather think of Jericho, where the first great victory in the promised land was won; or Mount Nebo, where the "man of God" was buried, distant and inaccessible though it might have been regarded at any time after the division of Canaan; above all, of Mounts Ebal and Gerizim, now within the domain of the dreaded Sargon, who had captured Samaria. These mountains occupied the geographical centre of the land. The region had long before been honored in patriarchal, as it has long since in Christian, story. It is also represented as about to be the scene of a public celebration and attestation of this very Deuteronomic code, otherwise unexampled in the annals of the people. I submit that, if the writer of this so-called Fifth Book of Moses had Mount Zion in his secret thought, he would never have so hallowed and glorified the mountains Ebal and Gerizim, and made them as conspicuous in his work as they are in the landscape of the Holy Land. It would prove a

clumsiness of literary execution with which so deft a hand cannot be charged.

In this connection, too, attention should be called to another quite as serious oversight of our critics in their hunt for evidence of the late origin of Deuteronomy. It is the freshness and the peculiar character of its Egyptian reminiscences, together with the entire absence of allusion, near or remote, to the Assyrian power. It might, indeed, be said to be designed — the chosen covering under which a clever hand wrought to accomplish the highest moral ends. But if it be a covering, it is one which a really clever hand would not at all have needed and which a devout hand would never have chosen or allowed. It is obvious here, too, that there are psychological grounds, reasons existing in the nature of things, making the authorship of such a work after the recovery of Assyria (B.C. 900) and the accession of Shalmaneser II. (B.C. 858) wholly incomprehensible.

If it be difficult to conceive of a writer under the shadow of the temple, and for the sake of it, ignoring Jerusalem while making prominent Ebal and its altar, it is no less so to think of one making everything of Egypt, when, were he a real son of his time, in sympathy with what Hebrew poets and seers are saying, he should be making everything of Assyria; at least, should find it impossible to be so completely oblivious of the empire before which Micah saw Zion "ploughed as a field," Jerusalem "become heaps," and the "mountain of the house as the heights of the wood" (iii. 12).

Egypt was politically a nonentity in the period between the middle of the tenth and the close of the eighth century B.C. Sunk in corruptions, it fell an easy prey to the hordes of the Ethiopian conqueror Shabak,

the So of the biblical books (2 Kings xix. 9; cf. Isa. xxxvii. 9). Under Psammetichus I., in the seventh century (B.C. 664), it reached again a moderate pitch of commercial prosperity, but never regained its former military strength. In fact, after the time of Rehoboam the successor of Solomon, when Shishak successfully besieged Jerusalem (1 Kings xiv. 25), the kingdoms of Judah and Israel had as little to hope as to fear from the once formidable neighbor of the south. Sentinels on their watchtowers were facing in quite another direction.

It is the Egypt of Sethos I., Rameses I. and II., and of Menephthes that has left its indelible impression on the Pentateuch. The nearly twoscore references to it by name in the Book of Deuteronomy alone are of unmistakable significance. In eleven only of the thirty-four chapters do we fail to find them. They abound equally in every part—laws as well as history. More than half the references are to Israel's deliverance and the signal manner of it. The next largest number are to the wonders wrought upon Pharaoh. Others are to the fact of the hard servitude, the homelessness, and the oppression of Israel. Four make mention of what kind of a land Egypt had been found, its evil diseases, and its methods of agriculture.

Could anything, for example, be more true to nature or more picturesque than this: "For the land of which thou goest to take possession is not like the land of Egypt, whence ye are come out, where thou sowedst thy seed, and wateredst it with thy foot as a garden of herbs" (xi. 10)? Two passages make tender allusion to the circumstances that attended the going of Jacob into Egypt, and two contain terrifying ones to a possible future thralldom there. How abundant this testimony,

and how inexplicable on the supposition that our book was written at any time between the reign of Jeroboam, the son of Nebat, and the reforms of King Josiah? Moreover, it is of one uniform character. Selected out, a shred here and a shred there, from the entire web, there is no dissimilarity of color or texture. It is a Shemitic fabric, woven thick with threads of Egyptian memories.

Suppose that this book, now, or any considerable part of it, had been written at the time when Hezekiah took away the high places with their altars and commanded that worship should be paid at one altar (2 Chron. xxxii. 12), or when the more marked reforms that synchronize with the beginning of Jeremiah's prophecies were begun. Not only would such incidental references to Egypt, in their numerousness and in their coloring of bygone days, surprise and baffle us, but, as we have said, not less the seeming utter obliviousness of the empire of the North. The monuments fully confirm what the biblical books had long ago more than led us to infer, that for the children of Israel in Palestine, at least after the beginning of the tenth century, the antagonistic world-empire lay no longer on the Nile, but on the Tigris and the Euphrates.

There is scarcely a king from Ahab down who did not find himself harassed with problems that concerned Assyria or its no less mighty successor at Babylon. Whatever reforms of the cultus or the civil polity were called for in all this period we may be sure got somewhat of their motive from the hope that thus a successful barrier might be raised against this dreaded despotism. Jehu's ambassadors bearing gifts figure on the marble obelisks of Shalmanezzer (B.C. 810-781).

Uzziah was punished and fined by Tiglath Pileser II. (B.C. 723) for his temerity in joining the Syrians against him. Ahaz, at first an ally, afterward became an obsequious slave of the same power.

Samaria was reduced and its king and people led away to exile (B.C. 722). Hezekiah, like his father, paid the hated tax which purchased him immunity from worse inflictions. Next to the escape from Egypt there was, perhaps, no event that made a deeper impression on the Hebrew mind and literature than the precipitous retreat of Sennacherib, in this same king's reign, mysteriously smitten by the Providence he had defied. So, too, Esar-haddon (B.C. 670), Assurb-anipal (B.C. 688), and Esar-haddon II., whose reigns reach to the utmost limit of the period that by the wildest criticism could be assigned to the essential portions of Deuteronomy, were all of them more or less concerned with the now broken and scattered Israel and the ever-waning political fortunes of Judah and Jerusalem. In the meantime Tyre and Sidon, Phœnicia, Philistia, and Edom had been successively subjugated, the whole of the Nile region overrun; and the lordly potentate of the North added to his other titles, "king of the kings of Egypt and Cush."

What vestige of all this do we find in Deuteronomy? What one word of Assyria and its influence to offset the nearly forty references to the Egypt of Joseph and Moses and the exodus? Judging from the confidence with which our book is assigned to this or that era of reform among the kings of the Assyrian period, one might reasonably expect some definite evidence that it knew of these mighty monarchs and their overwhelming influence on the people of Palestine and adjacent lands—that the Assyria of the prophets and historical books

really came into its field of vision. There is no such evidence.

There is a single allusion, at the close of the Deuteronomic legislation (Deut. xxvi. 5), to the Shemitic origin of Israel, sufficient to show that the author was not blind in one eye, that the country that had been the early home of his people was not a total blank in his mind; but in other respects it is of a nature to show that he was wholly ignorant of the sweeping changes that between the period of the exodus and the fall of Samaria had there occurred: "A Syrian ready to perish was my father, and he went down into Egypt and sojourned there with a few." How differently must he have spoken if his vision had been filled with the scenes that floated before the prophetic eye of an Hosea or Isaiah!

The human mind, indeed, is capable of abstracting itself from its surroundings. Rapt enthusiasts in science or art have sometimes been known to pursue apparently undisturbed the objects of their devotion, while sword and flame were wasting about them. But such a man the tender and sympathetic writer of Deuteronomy was not. The highest patriotism burns in his every utterance. His country's illumined history, her divinely sanctioned laws, her past, and still more inviting future,—these are his undeviating theme. The book before us, in short, as the product of a patriotic Jewish pen in the midst of the political convulsions of the Assyrian period would be a literary *monstrum*, a psychological contradiction. The elements are wanting that could have produced it; the elements are present that, as surely as the action of chemical contrarieties, would have made it impossible.

And this leads, in conclusion to some reflections on

the spirit that rules in Deuteronomy and other outstanding, characteristic moral features that are as universal as they are apparently undesigned. There is nothing that witnesses more directly or cogently to its genuineness ; they precisely fit the theory of Mosaic origin ; they are practically inexplicable on any other.

At the outset, it is noticeable that the spirit of our book is at the farthest remove from one of reserve. It is as ingenuous and open as the day. It moves unembarrassed and with an appearance of the greatest familiarity amongst the grandest factors and forces of the early Israelitish history. It follows no beaten track. It knows the story of Exodus and Numbers ; but it is independent of it, shaping the rich material in a way peculiar to itself. It puts its hand upon the sacred code of Sinai, even that central portion and glory of it which was written in stone by the finger of God, assuming the right and claiming the prerogative of giving it an altered form.

A bold spirit he must be acknowledged to be. If he were not Moses, he could not have acted with more supremacy of knowledge or apparent consciousness of authority if it had been he. Things are taken for granted which a romancer would have been careful to fortify with arguments. Statements are volunteered which prudence would have led him to keep back. Matters are passed over in silence which a secret anxiety must have led him to divulge and expatiate upon. Infinitely touching things are said, and in a manner that is no less touching. Solemn judgments, promises of unheard-of good are uttered in the character of one who spoke from God and with God.

Prophets there were many in Israel. If this representation be correct, here was the prophet of the old

economy. Others saw visions and dreamed dreams ; he spoke face to face with God and was deemed worthy of honors never claimed for an Amos or an Isaiah. Somebody adds, in the closing section of the book : "There arose not a prophet since in Israel like unto Moses." On its face it is a later addition, like the rest of the chapter. But it is the "amen" that confirms the letter of the history or the self-praise that seals the counterfeit.

The countenance of Moses, it is said, shone with the radiance of the divine presence. He had great privileges ; but he had also great responsibilities and trying ordeals. Heaven honored his intercessions with signal deliverances ; but heaven punished his sin with a visitation so severe that nothing could better serve to magnify the law and make it honorable. The promised land he might not set his foot upon ; and yet God comforted him and God buried him. A paradox truly, but only on the hypothesis of unreality. Without an army, without the restraints of established customs and regular occupations, by the sheer force of his goodness, his disinterestedness, his supreme patience, and the favor of God, he led, as a father, for forty years, the most intractable and obstinate of peoples. The intrigues of his own family neither disheartened nor angered him.

Alive as few others to the demands of even-handed justice, having for his great task the training of a people in the arts of war as well as of peace in a rude age, it is still the law of love to God as a rule of conduct on which he everywhere chiefly insists. Five several times he returns to it (Deut. vi. 4 f. ; x. 12 ; xi. 13 ; xxx. 6, 20) with emphatic reiteration ; and the aged John, who of all the apostles perhaps drank in most of the spirit of the gospel, but echoes in his farewell letter the farewell

message of the great lawgiver of the wilderness: "He that dwelleth in love dwelleth in God, and God in him" (1 John iv. 16). Strangers, widows, and the fatherless were his especial charge (x. 18; xiv. 29; xvi. 11; xxiv. 17, 19; xxvi. 12), another Israel within Israel.

Recognizing that higher truth of Paul, that the written law is not made for a righteous man (1 Tim. i. 9), his point of view throughout is superior to the code he so rigorously lays down. He commands, for example, that the poor brother shall be relieved. "Thou shalt not harden thy heart, nor shut thy hand," he says, "from thy poor brother." But beyond this point, where mere human law must stop short, he goes on to say: "And thy heart shall not be grieved when thou givest unto him" (Deut. xv. 10). He enjoins upon masters that they load their departing slaves with gifts and rewards: "Thou shalt furnish him liberally out of thy flock and out of thy floor and out of thy wine-press." But it is no injunction, it is a moving entreaty, when he adds: "It shall not seem hard unto thee when thou sendest him away free from thee" (Deut. xv. 10, 18).

If this be invention, the inventor meant that it should be received as fact, as indeed it was, and ever gratefully has been. It is that alone which has given the book all the authority and all the power for good it has ever had. But if it be invention, the effrontery and real falseness of the invention is only equaled by its spiritual beauty and ideal truth. If it be invention, the discovery to the world of the mysterious inventor, who combined within himself qualities so exceptionally excellent with those so exceptionally otherwise, might be some compensation for the loss from sacred history of such a character and career as that of the Moses of the exodus.

The Book of Deuteronomy is distinctly based on the presumption that the man whom it makes its hero has an important history behind him. It everywhere implies, in fact, something answering to what we learn of Moses in the middle books of the Pentateuch. Without this previous history the representation of him is not simply a torso, it is the barest fragment of a full-sized figure. The period that the narrative covers is only the few hurried days preceding the passage of the Jordan. Moses appears upon the scene as already an old man whose work is virtually over. He wears, indeed, accustomed honors; exercises still, with undiminished zeal, a shepherd's care for his people; but we are never suffered to forget that we are listening to parting words and looking upon one of the most solemn of farewells.

The book opens with a significant reference to the fortieth year, expecting the reader, without explanation, to understand what is meant by it. The entire matter, unlike that of any other book of the five, is of a purely subjective cast. The ecclesiastical and theocratical nomenclature of Leviticus and Numbers has disappeared along with the topics on which it was employed. It is the people who are addressed, and on civil and social themes; but a people called of God, and all whose institutions are to be fashioned with chief reference to his claim. Ethical precepts are those chiefly emphasized. The Lord their God is God of gods and Lord of lords, a great God, a mighty and a terrible, who regardeth not persons nor taketh reward. He executeth judgment for the fatherless and widow, and loveth the stranger, giving him food and raiment (x. 17, 18).

The ten commandments furnish the keynote and starting-point of all the Deuteronomic laws. Their

affinity is naturally with the Sinaitic code, rather than with the priestly regulations of the middle books. Of both Moses professes to have been the mediator (iv. 5, 10). He is apparently not insensible to the difficulties that such a claim involves, and is equally ready to confess his limitations, infirmities, and sins. He does not hesitate to set in the boldest relief the miraculous nature of Jehovah's dealings with his covenant people. "Did ever a people," he asks, "hear the voice of God speaking out of the midst of the fire, as thou hast heard, and live?" But he hesitates just as little, with all his brooding tenderness of feeling, to charge that favored people to their faces with rebellion, with weak defection and despicable cowardice, with stiff-neckedness and hard-heartedness since he had known them (i. 26, 31, 43; vi. 16; ix. 6, 22, 24). Not for their sakes, but for the fathers' sakes were they chosen (x. 15), and in all that "great and terrible wilderness" had there been folded about them the everlasting arms.

Would such sentiments have been calculated to recommend a book calling for the sweeping reforms of this to men of the later day? The sudden lapse from efforts at betterment when the outward pressure ceased shows in the midst of what a fearful current of opposition the revivals of Hezekiah and Josiah had been begun.

Lessons from the past alternate throughout with solemn admonitions for the future. The Bible furnishes few examples of warnings which in melting pathos or awful power equal those of this book (cf. xxviii.). It does not surprise us that the rabbins of a later day named it the "Book of Admonitions." The possibility and fear, rising in some places to prophetic conviction, that the Israel of Red Sea deliverances and

of Sinai would yet one day lapse from its high privilege, and lose sight for a time of its predestined goal, dominate like a trumpet-tone beginning, middle, and end of this series of discourses. It is for this reason, among others, that the fourteen chapters of legislation, whose faithful observance was meant to prevent the day of calamity, are flanked by Ebal and Gerizim. That imposing ceremonial should be forever afterward a solemn and restraining memory (xi. 29; xxvii.).

For this reason, too, the heroic leader desires to be with his people as long as possible. How much of the Book of Deuteronomy might have been unknown to us, or have appeared in quite another form, had he been able to complete in person the conquests of which the forty years of seemingly aimless wanderings and his sin had robbed him! His wish in the matter he makes no effort to conceal. Again and again he speaks of it in words that tremble with suppressed emotion. It had been made the subject of earnest petition (vii. 23-29). "I must die," he says, "in this land. I may not go over Jordan. But ye will go over to possess that good land" (iv. 22).

Moreover, there is but one sole reason given for the deprivation. The Lord was angry with him because he had failed to be as patient with them, his people, as he might have been (iv. 21). At the close of the book the subject is introduced in connection with Moses' age and infirmities: "He said unto them, I am a hundred and twenty years old this day. I can no more go out and come in. Also the Lord hath said unto me, Thou shalt not go over this Jordan."

How rare an opportunity for the writer of the book, if he had so desired, to clear his hero of the almost only stain that rested on his great career, to suggest

that it was physical infirmities that unfitted him to brave the hardships of a campaign in Canaan! A few slight changes, and what a different and, as it might be thought, far more natural and worthy conclusion should we have had for this great man's life! To die as Jacob did, for example, comforted by the ministry of loving hands. His faults were venial, compared with Jacob's. From a literary point of view it was as unskilful as from the point of view of ordinary demerit unkind to make that one peccadillo of years gone by stand out so conspicuously here at the close and climax of his life. But it is like the Bible always to show its preference for candor over simple literary effect and finish.

This is no romance. We recognize the force of resistless truth. It is charged with a spirit before which we unhesitatingly bow. Every mountain altitude has its peculiar flora and fauna. It would be in vain to seek to convince a botanist that certain plants were found flourishing on the summit of Mount Washington. Ocular proof would not be needful to convince him of the contrary. The impossibility would be in the nature of things. And there are spiritual elevations to which finesse and falsity are of necessity strangers. The plane on which the whole Book of Deuteronomy moves is one of these moral uplands. It begins with the sublimities of Sinai and ends with the inimitable solemnities of Nebo and Pisgah. It is no effort at historiography interjected with pious expressions, as some critics¹ represent the later biblical narratives to be. It is in web and woof sacred history, narrated, as it was enacted, under the eye of God.

² Wellhausen, *Geschichte*, i. pp. 340, 349.

VIII.

THE LAW AND THE PROPHETS.

CURRENT problems of the Biblical criticism of the Old Testament have this peculiarity, that it makes little difference where one begins to discuss them, he cannot easily miss the main question. Indeed, it is an obvious misfortune of this criticism, as represented by such scholars as Graf and Wellhausen, that, instead of being able to concentrate its forces at any one point, it is obliged to scatter them along a line reaching from the times before Moses to those following Ezra, and to be as fully alert in one period as in another, since defeat anywhere must result in total rout and overthrow.

Nominally, its aim seems to be to reconstruct the Pentateuch, or rather Israelitish history, on the principle of a natural development ; but this necessitates as well a logical and historical revision of the entire Old Testament, not excepting the works of post-exilian writers. It accepts, as we have seen, only the so-called Book of the Covenant (Ex. xx.–xxiii., xxxiv., with nebulous fragments of history)¹ as the germ of the ancient Scriptures, and as representing down to the times of Josiah (c. B.C. 621), even through the notable reigns of David and Solomon, the aggregate of Israelitish annals and laws. With this king it dates the Deuteronomic code, holding it to be a recasting and enlargement of these same fragments of Exodus to suit the

¹ Cf. Wellhausen's edition of Bleek's *Einleitung in das A. T.*, p. 178.

emergency of a central sanctuary, that is, of Solomon's temple, and the tendency expressing itself in it. The Levitical legislation, with its introductory history, forming the real body of the first four books of the Bible, appeared about two centuries later, under Ezra.

From this scheme it will at once appear that it is not alone the Pentateuch which is involved. The historical books must furnish a definite arena of discussion. And the prophets before the exile, who it is supposed were special sources of the nation's history and religion, are a preëminently important factor in the debate, while the Psalter and some other portions of the Hagiography, as evidently reflecting the spirit and teachings of the rest, cannot be altogether overlooked.

In this paper I shall direct attention to but one principal feature of the subject, namely, to the prophets who appeared before the exile; and I shall seek to answer the question, whether, in fact, as is alleged by our critics, they preceded what is known as the Levitical code or followed it; that is, whether the common order, the Law and the Prophets, should stand, or should be changed to the Prophets and the Law. As already intimated, the settlement of this one question, in the nature of the case, must be a virtual settlement of the entire discussion in its present form. And while there are points where the line of our critics' defence might perhaps be considered weaker, there is no point where a successful defence is, for the theory they defend, more imperatively necessary.

The question, then, is on the relative order of the Law and the Prophets; and waiving for the time all other related matters, let it be determined, if possible, from the writings especially involved. Has the ceremonial law of Exodus, Numbers, and Leviticus, with

its conspicuous setting of history, left any such impression on the prophets referred to as might be expected if they had it before them? Or, more definitely, has this part of the Pentateuch left any discoverable impression at all upon these prophets, so that its existence in their time may be justly inferred, since that would be quite enough to prove the point at issue?

In the meantime we shall do well to remember who these writers are whom we propose to consult; that they are prophets, and not priests; that their office in its essential import, and as interpreted by the whole Israelitish history, called them to watch over the spirit of the law, not to teach and explain its letter. At all times it was the substance, not the form, of it that was the subject of their burning utterances.¹

Some one has said of Milton, and not altogether in compliment it is likely, that his soul was like a star and dwelt apart. These men, too, moved and shone in the spiritual heavens; yet not, like stars, cold and far away. It was more like those nearer heavenly bodies that are the very sources of life and force to our little earth. They quickened like suns. As they moved so ebbed and flowed the tide of human affairs about them. And it was precisely the prophets' spiritual elevation above the world that enabled them to act to the greatest advantage upon the world. It was no mere matter of individualism, pronounced as that was in the case of some of them. Moreover, it was no example of that overvaluation and overrefinement of the inward life in distinction from the outward, not

¹ So Marti in *Jahrbücher für Protestantische Theologie* (1880), p. 159: "Sie [die Propheten] waren, also, diejenigen Männer, die zu wachen hatten über die wirksame Seite des Gottesdienstes im Israelitischen Volke. . . . Sie sind weniger die Wächter der Theokratie in ihren cultischen Institutionen als nach ihren sittlichen und moralischen Vorschriften." Cf. also Delitzsch in *Messianic Prophecies* (Edinburgh, 1880), pp. 8-13.

wholly unknown among ourselves; that disposition to fix the gaze upon some vague and hazy possibilities of the future, to the overlooking and the neglect of that which presses for an answer now.

Above all, it was no vulgar appetite for applause that impelled them. There was not one of them who would not gladly have hidden himself out of sight behind the work he did. Several of them, as it is, appear only as a name. As in the case of Joel: "The word of the Lord which came by Joel, the son of Pethuel,"—that is literally all that we know of the man's personal history. No; their singularity was of another sort. It was that of men who stood and who served on higher spiritual levels. They refused to be merged in the common class. They declined to sink themselves out of sight in any prophetic guild. They were men who could not be satisfied to wear a uniform, follow their file-leaders, be set in a row and counted. They were unwilling to yield up their finer spiritual aspirations to that subtle and all-pervasive atmosphere of perfunctoriness in which the men of their time had come to live. They felt that somebody must be singular and nondescript; that somebody must resist the tendency to trim and adjust to a usage not the highest; that somebody must protest by word and deed against a stagnant, depressing, criminal uniformity. And true it is, in every age, that it is only on the dusty levels of mediocrity that men move in battalions. As soon as they begin to ascend, it is always after leaders.

The leading positions taken by our critics now to prove the negative of the question before us are: (1) that the prophets before the exile are absolutely silent respecting the Levitical code, with the history that belongs to it; and (2) that they show decided hostility

to animal sacrifices, a circumstance bearing still more directly against its supposed existence.¹ On these two abutments the critical arch at this point and its whole amazing superstructure may be said to rest. And we have reason to be thankful for the clearness and unmistakableness of the issue thus presented.

That both these positions are simply supposititious, and have no substantial basis whatever, that indeed they are demonstrably false on any fair interpretation of the records, I think can be made to appear to really candid minds; and even beyond this, that the first, if true, would prove nothing in the present case; while the second can be supported on no grounds which would not introduce confusion and absurdity into the prophetic literature.

Starting with a minor point, I remark that, if it were to be admitted that the preëxilic prophets make no direct reference to the Levitical code, it would by no means follow that it had no existence in their time. Do these prophets in their denunciations of idolatry ever make any direct reference to that earliest supposed fragment of Israelitish literature, the Book of the Covenant, especially to the second commandment, holding so prominent a place in the Sinaitic legislation? It is acknowledged to have been extant in this period; it was recognized as Mosaic and authoritative.² To

¹ See Wellhausen, *Geschichte Israels*, i. pp. 1-5, 57-59; W. Robertson Smith, *The Old Testament in the Jewish Church*, pp. 286-288; and *The Prophets of Israel*, pp. 164, 175 f.; Duhm, *Die Theologie der Propheten*, pp. 12, 17, 18.

² See *The Old Testament in the Jewish Church*, pp. 299, 331. In the latter passage this critic says: "While the Pentateuch does not make Moses the author of the Levitical code, it tells that he wrote down certain laws. He wrote down the words of Jehovah's covenant with Israel (Ex. xxxiv. 27, 28; Ex. xxiv. 4, 7). In the former passage the words of the covenant are expressly identified with the Ten Words on the tables of stone. In the latter passage the same thing seems to be meant." This is sufficient to show Professor Smith's opinion respecting the Decalogue. When he proceeds on the basis of Ex. xxiv. 4 to argue that it was *only* the Decalogue that Moses is here said to have written, the circumstances under which these words were uttered ("And Moses wrote all

cite its clear and exceedingly explicit prohibition of graven images and of the service of false gods, which these prophets were always in one form or another denouncing, one might suppose would have been both pertinent and effective. In no case is it done. The precepts of this code, moreover, were practically ignored by the people down to the time of the exile. What, then, is an argument worth drawn simply from the absence of direct appeal on the part of Israelitish prophets to supposed Mosaic institutions and laws?

It is well to note, indeed, in passing, into what a trying dilemma our critics are brought by this same Book of the Covenant, with its pronounced and clear-cut enactments. Assuming it to be the sole collection of laws possessed by the Israelites till near the close of the seventh century B.C., they are not only compelled, in direct contravention of a favorite method of argumentation, to admit that it was never directly appealed to, and remained in its principal features inoperative, but, to save their theory of the originality of the religion of the prophets of this period, must even argue that prophets and people were governed by principles really antagonistic to it.

These prophets, they affirm, did not trouble them-

the words of the Lord," etc.), as following what is narrated in Ex. xx. 18-22, and the laws of which that passage is the natural introduction, plainly forbid such a construction. Indeed, when it is said, xxiv. 3, that "Moses came and told the people all the words of the Lord, and all the judgments," it is evident on the face of it that "all the words" *cannot* refer simply to the Decalogue, and "all the judgments" to the laws that follow it, xxi.-xxiii. For (1) the people had themselves heard the Decalogue (xx. 1, 19), and did not need to have it so especially rehearsed. And (2) on that supposition the people would be absurdly represented in xxiv. 3 as saying that they would keep the Decalogue, while they decline to say what they would do respecting the "judgments" (that is, the Book of the Covenant, xxi.-xxiii.). While (3), at xxiv. 7, Moses is said to have *read* in the hearing of the people the Book of the Covenant, and secured their assent to it before ratifying with them, by the sprinkling of blood, the Covenant with which it stood in connection. Cf. also Dillmann's Commentary on *Die Bücher Exodus und Leviticus* (1880), p. 256.

selves about image-worship, or any other special form of cultus. Elijah had no quarrel with Ahab concerning golden calves, says Professor Smith, more than once, in his latest work.¹ In fact, to avoid the necessity of taking account of the first and second commandments as recognized motives influencing the minds of men during this period, we find this critic resorting to a style of reasoning as utterly trivial as it is unjustified by anything that we know in the premises.

Elijah, who could not have been ignorant of the words written by the divine finger: "Thou shalt have no other gods before me; . . . Thou shalt not make unto thee any graven image," Elijah, it is said, was moved to oppose the worship of Baal in his time, among

¹ *The Prophets of Israel*, pp. 96, 109, 113. Professor Green, in *Moses and the Prophets*, p. 265, as it seems to me, uses language none too strong when he characterizes this position as an "atrocious misrepresentation." "If there is any one thing," he goes on to say, "of which Jehovah expresses his utter abhorrence everywhere throughout the Scriptures, it is the practice of idolatry in whatever form; and that a true prophet of the Lord, jealous as Elijah was for his name and worship in a time of widespread apostasy, and to whose divine commission such signal attestations were given by the Lord himself, could possibly have been 'indifferent' to what was so grossly dishonoring to God, or, as it is mildly put in the passage above cited, 'plainly out of place' in his worship, is absolutely beyond belief." Cf. also, Böhl, *Zum Gesetz und zum Zeugniß*, p. 71 f. "Und hier sei es nun gestattet, ein ernstes Wort mit jenen Kritikern zu reden, welche den Kälberdienst im Nordreiche Israel für etwas ganz Unverfängliches halten, wogegen weder Elia noch Elisa protestirt hätten. Zuerst habe Hosea von seinem besonderen theologischen Standpunkt aus dagegen Verwahrung eingelegt. Ist denn für diese Kritiker 1 Kön. Cap. 13 absolut nicht vorhanden? Ein Mann Gottes aus Juda, also ein Prophet des wahren Gottes, bedroht hier den Altar von Bethel, vor dem gerade Jerobeam opfert, und verheisst ein Rächer *ex ossibus Davidis*, der die Höhenpriester auf diesem Altar opfern und ihn dadurch entheiligen werde. Zur Gewähr der Richtigkeit dieser Verheissung gibt er nach Prophetenart das näher liegende Zeichen, dass der Altar zerbersten und die opferasche sich verschütten werde, was denn alsbald geschah. Die zur Lahmlegung dieses Propheten gebieterisch ausgestreckte Hand Jerobeam's verdorrt und wird geheilt; dann aber muss Jerobeam die furchtbare Abweisung Seitens des Propheten erfahren, dass derselbe nicht einmal einen Bissen Brots von ihm annehmen will. Obschon augenblicklich geheilt, ist er doch verworfen für immer mit sammt seinem ganzen Kälberdeinst! Nach Wellhausen (S. 300) ist dass nun eine grobe Legende, die nicht einmal dem Deuteronomisten angehört. Warum das der Fall ist, dass erfahren wir absolut nicht (Was Wellhausen beibringt, hat nicht den Schein eines Grundes, denn Cap. 13, 33 steht deutlich: 'Jerobeam machte wieder, d. h. wieter Priester der Höhen) es ist dass ein solches dictum, wie es sich die modernen Kritiker gern gestatten, und dass eben zu jenen gehört, die sich dann wie ein Dogma durch die neueren kritischen Schriften hindurchziehen."

other things, by the wine-bibbing habits of the Baal worshipers.¹

Hezekiah, of whom the writer of the Books of Kings declares that he "clave unto the Lord" and kept his commandments "which the Lord commanded Moses," according to the Scotch professor became a reformer under circumstances even less creditable to his good sense and supposed loyalty to the national religion. He had seen, as the result of recent wars, many heathen shrines demolished and finally abandoned; while the temple at Jerusalem, in view of its apparent inviolability, at the same time assumed a relatively greater importance. Hence the thought came to him, Why should not he set about the demolition of idolatrous shrines and so enhance still more the importance of the temple?²

The conclusiveness of this reasoning is only equaled by that of the same critic when he announces that the code of Deuteronomy "must be regarded as in a great measure a product of reflection on the failure of Hezekiah's measures."³ Criticism, properly speaking, this is not. It does not indicate even a candid inspec-

¹ *The Prophets of Israel*, pp. 84, 85. Professor Smith admits that this is only a surmise of his. "We have no evidence that Elijah had a personal connection with the Rechabites; but Jonadab was a prominent partisan of Jehu, and went with him to see his zeal for Jehovah when he put an end to Baal and his worshipers" (2 Kings x. 15 sq.). The other things which are supposed to have influenced Elijah in his opposition to Baal were: (1) the influence of the prophetic guilds, although the Professor concedes that "Elijah himself, as far as we can judge, had little to do with these guilds"; and (2) the sense of the injustice done to Naboth by Ahab in the matter of the vineyard. These are all the reasons which this critic can find for Elijah's contest with the prophets of Baal and their hideous idolatry.

² *The Prophets of Israel*, p. 362 f.

³ *Ibid.* p. 368 f. It was not the result of reflection on the prohibitions of the Decalogue, or on the inherent wrong of idolatry; but "it starts from the observation that it is impossible to get rid of Canaanite elements of worship until sacrifice and ritual observances are confined to one sanctuary, and that this again is impossible till the old principle is given up that all food, and especially every animal slain for a feast, is unclean unless presented at the altar." So it is to political shrewdness and finesse, as well as sober reflection, that we are to ascribe the origin of the Deuteronomic code.

tion of the records; but only a not very happy faculty for guessing, here too much under the influence of the faculty for wishing to be a safe guide in historical questions. I have heard of an artist who once bought on the market a cheap picture of an animal, and finding it scrapable, scraped out of it a masterpiece by Correggio. But who ever heard of *an artist* persistently attempting to reverse this process?

These, however, are merely negative results. We now go further, and affirm that the Israelitish prophets who rose before the exile, so far from being absolutely silent respecting the Levitical code and unaffected by it, on the contrary show, from first to last, that it has made a most powerful impression upon them. Their work, severally and unitedly, is largely a work of recovery and repair in significant harmony with its provisions; while, as we believe, definite allusion is made to it as to a well-known, extensive, and divinely authoritative body of laws.

There is the prophet Joel, for example, who, until the exigencies of this new theory made another conclusion imperative, was regarded by the almost unanimous consent of scholars as one of the oldest in the list.¹ He says nothing, it is true, about any Mosaic law of offerings which controlled the sacrificial ritual of the temple in his day. But is it any the less to the point that, in evident sympathy with an established priesthood, on the occasion of a great national calamity he

¹ And it may be said that one of the chief problems of the Wellhausen type of critics has seemed all along to have been how best to discredit, or get rid of, the defendant's witnesses. As late as 1875, when Duhm's *Theologie der Propheten* appeared, he was obliged to admit the virtual unanimity of scholars on the question of Joel's early date. He says (p. 71): "Zwar wird gegenwärtig Joel fast mit einstimmigkeit höher hinauf gesetzt; doch hoffen wir das jüngere Alter dieses Propheten mit überwiegender Wahrscheinlichkeit erweisen zu können." The proofs given, however (pp. 275-277), are, for the most part, simply a begging of the question, being based on the truthfulness of the theory which is under discussion, namely, that the Levitical code originated at the time of the exile.

summons them as ministers of his God to gird themselves and lament because the meal-offering and drink-offering are cut off from the house of their God (i. 13) ?

So, too, Amos, the inspired herdsman of Tekoa, who prophesied near the beginning of the eighth century B.C., and, though himself from Judah, in that marked unity of spirit which characterized all the prophets, carried his bold message to the very centre of idolatrous worship in the northern kingdom. It is of transgression that he speaks. There is some definite law of the Lord (ii. 4; cf. Lev. xxvi. 15) which has been despised and statutes which have not been kept.

It is evident, moreover, that something more than the Decalogue is referred to (iv. 6-11; v. 4, 5, 21, 22), when, with withering sarcasm, which would have been simply farcical if there had been no reference to a legally established place and order of worship, he bids the people of Israel come to Bethel and transgress and at Gilgal to multiply transgressions; and, further, in masterly hyperbole, summons them to bring their slain offerings every morning, their tithes *once in three days*, and, like the Pharisees of aftertimes, to publish abroad their freewill offerings, whose value was in their being the product of a silent, inward sense and impulse. In these utterances there are nearly as many allusions to requirements of the Levitical or Deuteronomic legislation as there are clauses (Deut. xiv. 28, 29; xvi. 10; Lev. xxii. 21, 23; Num. xv. 3).

Hosea, beginning his work near the same time, but still, according to our critics, not far from two centuries before the appearance of Deuteronomy, and three and a half centuries before the code of Leviticus was conceived by Ezra and his coadjutors, we find hotly denouncing the priesthood of his day; not *as priests*,

observe, but as those who had been unfaithful and wilfully ignorant of their appointed work. They had misled the people. They had forgotten the law of their God (iv. 6.) and God, therefore, repudiated them.

From the immediate context and other utterances of this prophet it is plain enough to see what this law is which, in his view, the priests have forgotten and trampled upon. It is a law which has to do with the sin-offering¹ and other sacrifices (iv. 8; cf. Lev. vi. 19; Hos. viii. 13; ix. 4); with the distinction in food as clean and unclean (ix. 3, 4); with feasts, and new moons, and Sabbaths (ii. 13, cf. Lev. xxiii. 2, 4 ff.). Moreover, it is a written law of wide extent and many precepts. "I write for him," says the prophet in the name of the Lord, "the myriads of my law" (viii. 12, not "the great things of my law," as the A. V. has it) — "they were accounted a strange thing."

I am aware that among those who think the prophecy of Hosea ought not to contain such a sentiment the most persistent efforts have been made to put upon these plain words a different meaning; but the motive has been too transparent and the exegesis too strained to command anything more than a strictly partisan sup-

¹Lit., "They eat [fut. expressing the idea of what is customary] the sin of my people." Wellhausen (*Geschichte*, i. p. 75) and his adherents (cf. *The Old Test. in the Jewish Church*, p. 251; *The Prophets of Israel*, p. 105) deny that the sin-offering is referred to. But if the priests are here spoken of, it is difficult to see what else can be meant. According to the Levitical code (Lev. vi. 19), a part of the ceremony of this very sin-offering was for the priest to eat of it; and there can be no good reason for supposing that this is not meant here, except that it would offer an insurmountable obstacle to the new theory. That a fine paid in money to the priest by the transgressor is intended can by no means be admitted. A passage adduced in its support (2 Kings xii. 17) does not mean this (cf. Theile, *Die Bücher der Könige*, in loc.); and there is nothing in the Old Testament which gives the least coloring to the hypothesis that any such system of indulgences was ever known in Israel. The context of our passage shows that with the priests of Hosea's time the eating was the principal part of the ceremonial of the sin-offering. And they were quite willing that the people should commit more sin that they themselves might have the more to eat. (Cf. the conduct of Eli's sons, 1 Sam. ii. 12-17.)

port.¹ In fact, in addition to the evident references to the Mosaic laws, moral or ritual, just referred to, it has been shown by a recent writer that there is not a single book of the Pentateuch which, in the way of illustration or historical reminiscence has not left its impression on the pages of our prophet.²

Micah, also, in that memorable passage (vi. 6-8) cited by our critics to show that he rejected sacrifices altogether, demanding in their place that men should do justly, love mercy, and walk humbly with their God, in this very utterance but echoes, as it should seem, a sentiment of the Book of Deuteronomy (x. 12), which it is affirmed did not yet exist, and presupposes the practice of ritual observances whose warrant can only be found in the Levitical code (Lev. ix. 3; cf. Num. xv. 1-16; xxviii., xxix.).

But of still more importance than these isolated references is the fact that there are certain grand features of the preëxilic prophets, common at least to the most of them, which, in the nature of the case, can

¹ Professor Smith (*The Old Test.* etc. p. 297) says: "But the prophets of the eighth century never speak of a written law of Moses. The only passage which has been taken to do so is Hosea viii. 12. And here the grammatical translation is, 'Though I wrote for him my Torah in ten thousand precepts' they would be esteemed a strange thing." [Revised version: "Though I write for him, etc., . . . they are counted."] The matter, however, is not so easily disposed of. If the use of the past tense in the last clause is not allowed any weight in determining how the first verb is to be rendered, or if Smend's objection (*Studien u. Krit.*, 1876, p. 633) that the hypothetical translation emasculates the passage of all sense whether the verb or the word for "ten thousand" be emphasized, still how can it be denied that there lies on the face of the declaration the *presupposition of a written Torah*? One of the latest commentators (Nowack, *Der Prophet Hosea*, p. 140) renders the verb as Ewald rendered it by "ich schreibe." But though it were to be taken hypothetically (as the future in Ps. xci. 7), that must not be allowed to obscure the obvious force of the verb that follows. As Bredenkamp has insisted: "Das als thatsächlich ausgesagte Fremddichten der Torah oder Toroth (LXX.), setzt nothwendig das Vorhandensein desselben und zwar als geschriebener voraus" (*Gesetz und Propheten* p. 37 f.). Cf. also "the law of the Lord and his statutes" in Amos (ii. 4), of which Rudolph Smend wrote in 1876: "I do not understand how Duhm can affirm that these words should not be directly referred to an external divine law. For *chāq* is really just = *statutum*" (*Studien u. Krit.* (1876), p. 634, note).

² Curtiss, *Levitical Priests*, pp. 176-178; cf. Smend, *l.c.* p. 641.

only be accounted for by regarding them as the result of the priestly legislation of the Pentateuch. One of them is the uniform attitude of these prophets toward a central sanctuary. According to the current criticism they ought, at least the oldest of them, to be wholly silent on this subject, since, until Deuteronomy appeared, more than two hundred years after the date of Joel and Amos, and a hundred after that of Hosea, Micah, and Isaiah, there was no sign of a law regarding it. Every one did, it is said, in this respect what was right in his own eyes (cf. Deut. xii. 8). In fact, it is supposed that there was sufficient justification for such a state of things found in the Book of the Covenant itself (Ex. xx. 24, 25).

It is Joel, however, who calls for the proclamation of a solemn fast in Zion, that is, Jerusalem (ii. 15), and declares that it is the dwelling-place of Jehovah (iv. 17). It is Amos who begins his terrible arraignment of the kingdoms of the earth, especially of Judah and Israel, with the thrilling words "Out of Zion the Lord roareth, and uttereth his voice from Jerusalem" (i. 2). Bethel, the seat of idolatry, is to him a Beth-Aven (a seat of nothingness), and at Gilgal and Beersheba God would be sought in vain (v. 4-6).

It is Hosea, *a citizen of the northern kingdom*, who invariably stigmatizes that kingdom as an organized apostasy, without a future and unworthy of the favor of Jehovah. Judah it was that should find mercy and salvation from the Lord their God (i. 6, 7; cf. xiv. 1). With his eyes fixed, as it would appear, on Jerusalem, he delivers the message which closes his book: "Take with you words, and turn to the Lord; say unto him, Take away all iniquity, and receive us graciously; so will we render the calves of our lips" (xiv. 2, 3; cf. his

attitude toward Jehu (i. 4) after he had shown his true character).

So too, Micah, in that sublime prediction concerning the last days, when the mountain of the house of the Lord should be established on the top of the mountains, announces that it is from Zion that the law shall go forth, and the word of the Lord from Jerusalem (iv. 2, 3). And especially Isaiah, the close of whose prophetic activity antedated still by three quarters of a century the supposed date of Deuteronomy, leaves us no room to doubt how he regarded a plurality of altars among his countrymen. Zion is the mountain of the Lord to which the nations shall resort (ii. 2 ff.), copying the very words of his contemporary Micah (iv. 1, 2), to give additional emphasis to the thought. The Lord would dwell on Zion, as once in the fiery cloud of the wilderness, and no enemy, not even a Sennacherib, should dare to lift his hand against it (x. 32; cf. xxxiii. 20; xxx. 29).

To those who find it not only unnecessary, but presumptuous, to make allowance in these utterances of God's prophets for a supposed political bias such evidence as this will be amply conclusive. The theory that during all this period there existed no statute touching a central sanctuary where the ordinary worship of God was to be conducted is a chimera. Defection, illegality, ignorance, perverseness there was enough of; but there was also something lying back in the early history of the people, well-known, fixed, and authoritative, which no true prophet could ignore and to which no instructed Israelitish conscience could fail to respond.

Let us direct attention to another thing made singularly emphatic by these early prophets, and yet

most singularly made emphatic if the theory of our critics be accepted; namely, the fact that a solemn covenant existed between Jehovah and the Israelitish people. Sometimes it is under the form of the marriage relation that it is represented, as very largely and repeatedly by Hosea (i.-iii.), who, it may be said, is full of the thought and fortifies himself in it against the stout resistance of rulers and people (vi. 5, 7; viii. 1). He charges them with swearing falsely in making this covenant (x. 4), and with being a people bent on backsliding (xi. 7; cf. xiv. 1).¹ Sometimes, as in Amos, it is by a touching allusion to the early history (iii. 1-3). The sons of Israel are the family whom God had brought up out of Egypt. Them only had he known of all the families of the earth; therefore he would punish them for their iniquity. Could two walk together except they were agreed? (Cf. also iv. 6-11; v. 4, 5, 21, 22.) Sometimes, as in the graceful metaphors of an Isaiah, it is under the image of a family whom God had nourished and brought up, to be repaid with unthankfulness and rebellion (i. 2, 4); or of a vineyard on which there could not have been expended more kindly effort, while it had rewarded its patient and painstaking Lord only with wildness and emptiness (v. 2, 4).

But under whatever form it may appear, it is everywhere a conspicuous and controlling fact with these earlier prophets. Their most powerful reasoning is rooted in it, and from it, as from an acknowledged event of history, their most stirring appeals find directest

¹ So Nowack, *ibid.* p. xxx. of the *Einleitung*: "Sehen wir darauf hin unser Buch an, so ergibt sich als Grundvoraussetzung für die Busspredigt Hoseas die, dass Jahve in der Zeit, da Israel aus Egypten zog und in der Wüste weilte, dies Volk sich erwählt und einen Bund mit ihm geschlossen (ix. 10; xi. 1; xii. 10; xiii. 4, 5); kraft dessen Israel eine Reihe von Verpflichtungen auf sich nahm, die in der Torah Jahves niedergelegt sind (viii. 1, 12), als deren Inhaber und Verkündiger Hosea die Priester dieses Reiches ansieht" (iv. 6).

inspiration. So common and universally accepted, indeed, had the thought become, that it had already passed over from a literal to a metaphorical sense, and we find Hosea (ii. 20) speaking of a covenant which the Lord would make with beasts of the field, for Israel's sake.

Carlyle speaks of a peculiar class of people in his day who, in writing and deed, struggled not in favor of duty being done, but against duty of any sort being required.¹ Our prophets obviously did not belong to such a class. They have the keenest possible sense of certain obligations which had been assumed by Israel, and hence of certain inevitable obligations to be discharged by Israel.

Now, will any one venture the assertion that such a thought and moral force as this of the covenant could have sprung from the oral transmission of those few chapters of Exodus known as the Book of the Covenant? By no means. Its solemn basis and warrant lie outside that book (cf. especially xix. 3-6 f. ; xxiv. 3 f.). Our critics themselves rather seek to deny that any such covenant existed ; or, if it existed in thought, that it was anything more than a figment of the brain, a mere fancy of the prophets, no real thing presupposing two covenanting parties ; presupposing as to the Israelites any actual covenant must (Ps. l. 5), and as the very etymology of the word and history of the conception demand, sacrificial blood to solemnize it and sacredly bind the covenanting parties to its provisions.²

¹ *Reminiscences* by Froude (Harper's ed.), ii. p. 76.

² Cf. Zech. ix. 11: "Even thou! through the blood of thy covenant, I have sent forth thy prisoners out of the pit." There can be no doubt that the ceremonies recorded in Ex. xxiv. 3-8 are here referred to. Wellhausen says, in a note on p. 434 of his *Geschichte*, i.: "Die Vorstellung eines zwischen Jahve und Israel eingegangenen Bundes (Berith), von der aus die Autoritäten der Biblischen Theologie das ganze Alte Testament zu verstehen glauben, findet sich bei den älteren Propheten nicht."

Could anything be more fatal than thus to fly in the face of what is written as plainly on the whole prophetic literature of this period as high spiritual aspiration and loyalty to Jehovah are written there? It is as an unfaithful wife that Israel is depicted, who has forgotten the days of her first tender love, when, led by a prophet of the Lord, she came up out of Egypt (Hos. ii. 17; xi. 1; xii. 14). She has broken her plighted troth and been treacherous and untrue (Hos. v. 7; vi. 7). She is even represented as saying in the better future, "I will arise and return to my first husband; for it was better with me then than now" (Hos. ii. 7). There is nothing more characteristic of the prophetic activity of an Hosea or Amos than just this uniform and persistent effort to reclaim and bring back the nation to what appears to be a universally acknowledged standard. Human language offers no resources to express more strongly than is here expressed the sense of the prophets that Israel had fallen away, backslidden, broken faith with God. This is the actual, palpable substance of their commonest utterances.

We never find them, as though founders of a new religion, dealing in abstractions or generalities; hovering in the air with imaginary conceptions of duty; pulling now one way and now another, or, in obvious collusion, joining their forces to hoodwink a credulous people. They are at the farthest possible remove from anything like mere histrionic representation. There is one thing which all will freely accord to these men, and that is, a marked intellectual superiority. But there is another thing which we must just as certainly accord them—a deep and all-pervading intellectual sincerity and uprightness. They had tremendous con-

victions, not a bit of dilettanteism. They believed, therefore they spoke. If they appear somewhat intolerant it is because they felt that they had the warrant of history, and of the God of history, to be intolerant. It is with historical and popularly accepted facts that their message is concerned whether here or there, with something well known to all, and long known, and known not simply by the understanding, but also by the heart and conscience.

A marked characteristic of the Hebrew prophets I say was this, that they were men of thorough and intense convictions. Their utterances were first burdens that pressed with the weight of positive truths on their own hearts. The horizon of their knowledge may have been limited; but, so far as it concerned their communications, it was clearly defined. The era of half-truths had not yet dawned. Religious speculation had not yet seduced the serious-minded from the contemplation and the realization of awful facts. The word "agnostic," which may be explained as the polite excuse of ignorance urged in our day as a veil for indifference or contempt, was still unknown. Above all, a spirit of agnosticism had not so taken possession of God's own servants that they were unwilling to speak with positiveness, even where He himself had clearly made revelations and enjoined duties. The great first principles of religion, the being and personality of God, His government by a plan which literally leaves nothing out, the inexorable law of righteousness, the innate ugliness and clinging curse of sin, these were not with them matters of technical, philosophical discussion, but fixed and overwhelming motives. On them they planted themselves, and there they rested, as on an immovable fulcrum, the mighty lever of their influence

over men. The problems they had to face, the work they had to do, really left no margin for vacillation and uncertainty on questions like these. I do not mean, please note, that the prophets of Israel fully understood, in their widest relations, all of their own utterances. It is clear that they did not. I mean just as little to say that what they had to declare was always in harmony with their natural inclinations. It was often quite the reverse. What, indeed, is more pitiful in human story—tragic, one might say, if it were regarded simply as human story—than the lives of some of these men? It was just this sharp antagonism between a sense of imperative duty and all the kindly impulses of the human heart that wrung from them such touching exclamations as abound in their writings.¹

It was on the ground of an alleged covenant that Israel is called upon to be a holy people to the Lord (Ex. xix. 5, 6; Lev. xi. 44; xx. 25, 26; Deut. xiv. 21).

¹ Cf. Watson, *The Law and the Prophets*, p. 79: "The teaching of the prophets is such that a careful preparation of the teachers is demanded. Prophetic teaching is not one of those common plants concerning which we do not need to ask whence it springs. The prophets have familiarized us with certain principles of right. They have taught us what it is which makes a man acceptable in God's sight. Their teaching on these points is accepted by all Christians as certain, nay, as obvious, truth. But these truths were not always familiar and obvious. Their doctrine, when they taught it, was in many points new and strange. It is certain they derived no help from heathen teachers. It is certain they were far in advance of their nation and their time. Hence the serious difficulty which arises when the sole basis of their teaching is taken away.

"The teaching of the prophets was unique; it was also one consistent whole. The prophets' teachings were at unity amongst themselves. What was the cause of this agreement? Cause there must have been. The prophets did not hand down from age to age the sayings of their predecessors. Of them as of the Great Prophet it was true, they taught with authority, and not as the scribes. The later canonical prophets used freely the writings of the earlier ones, but they were independent teachers. The earlier prophets were in the main independent of one another. We want a founder of the prophetic school of thought, but unless he is Moses we cannot find him. On the critical theory he cannot be Moses. The very few, though no doubt great, ideas, which the modern critics allow Moses to have left behind, do not make a sufficiently wide common ground for the prophetic teaching. On the traditional theory the agreement of the prophets is natural; they have all the same teacher, even God, and they all use the same textbook, the Pentateuch. On the critical theory the agreement is inexplicable."

They were his peculiar possession. He was holy and they should be holy. And it is noticeable that this idea of holiness, though naturally, as found in our prophets, not bounded by the external requirements of the Levitical code (Isa. vi. 3), at least takes knowledge of them and is everywhere more or less modified by them. Hence it is that Jeremiah distinguishes the circumcised Israelite, who is yet uncircumcised in heart, from the uncircumcised Egyptian (ix. 24, 25). He recognizes the outward rite no less that he recognizes also its inward, spiritual meaning. And Isaiah, the most idealistic of all these earlier prophets, stigmatizes the people of his day as rebellious, in that they pollute themselves by dwelling amidst the sepulchres of the dead, lodging in the monuments, and eating swine's flesh, the broth of abominable (that is, ceremonially unclean) things steaming in their caldrons (lxv. 3, 4; lxvi. 17).¹

Everywhere the land of Israel is looked upon as holy for Israel's sake (Amos vii. 17; Hosea ix. 3, 5); Zion and its temple are holy; and no less the altar-gifts and those who offer them (Isa. xxiii. 18; xliii. 28; Jer. xi. 15); feasts, Sabbaths, and festival days (Isa. xxx. 29; lvi. 6; lviii. 13; Hosea ix. 5). It would be difficult, indeed, to find a prophet after the exile who shows a deeper sense of the existence and sacred character of some ceremonial law than, for example, Hosea seems to do in one of his prophetic utterances (ix. 3-5; cf. Num. xix. 14 f.).

The inference is imperative. These prophets refer, though it may be never so indirectly, to the extended legislation of the Pentateuch. There is no other sup-

¹ Even on the supposition that these passages are not from Isaiah, but from some one who lived during the exile, still they must have been spoken long before the supposed introduction of the "Code of the Priests" (444 B.C.).

possible circumstance which so well accounts for their habitual attitude, their prevailing current of thought and coloring of speech, as this overshadowing Sinaitic code founded on the covenant formally concluded through the mediation of Moses. Such a covenant, in the nature of the case, demanded an extended Torah to define its provisions. To this same Torah in general, we believe, Jeremiah refers in that prediction of future brighter days, when Jehovah should make another covenant with the house of Israel and the house of Judah; not such a covenant as he made with their fathers; but his law he would put in their inward parts and write it in their hearts (xxxi. 32). The idea of covenant and law, that is, are with him interchangeable, inseparable. To a Jewish mind, in fact, the one involved the other as truly as the idea of a sacrificer involved that of a sacrifice and an altar.

But it is said that the earlier prophets show decided opposition to the offering of sacrifices in themselves considered, and therefore they cannot have known and acknowledged this Levitical code which prescribes them and contains the ritual by which they were afterward to be governed. If such a claim were not made by men of learning and responsible positions we could hardly regard it as seriously meant. On its face it appears to us as nothing less than preposterous.

Does Samuel show opposition to sacrifices when he says to the impatient and recreant Saul: "To obey is better than sacrifice, and to hearken than the fat of rams" (1 Sam. xv. 22)? No more does Hosea when, in rebuke of gross excesses of externalism, he declares as the mind of the Lord: "For I desired mercy, and not sacrifice; and the knowledge of God more than burnt-offerings" (vi. 6). There are no texts better adapted

than these to illustrate the uniform attitude of the prophets in all periods of Israelitish history toward animal sacrifices. What they opposed was misdirection, degenerating into absolute idolatry. It was an effort at prayer without a consecration of the will. It was a perverse tendency to look upon sacrifice as an *opus operatum*, something in itself sufficient for their spiritual needs.

To enjoin the people to bring their offerings was wholly needless. To interdict it would have been as futile as to interdict the dew from gathering on Lebanon. What they did properly seek to do was to insist on the spiritual significance of these solemn rites; to persuade men that the form without the substance was not only rubbish, but might be even a stench in the nostrils. Just as a minister of our day might say to men who offer their means for the spread of the gospel and the support of its institutions while personally standing aloof from it: "It is not your money we want, but you." Just as the apostle Paul actually said to his Corinthian sympathizers under similar circumstances: "I seek not yours, but you" (2 Cor. xii. 14). So these men of God in the olden time in the midst of a tendency to pure exteriority, to exaggerate the matter of the flesh and blood of their offerings until they were made to represent everything in religion and, at the same time, to excuse everything in irreligion and idolatry, found no language but that of hyperbole that met the case.¹

¹ It was not formalism alone nor idolatry alone that the earlier prophets opposed, but both together, and especially the latter as a direct fruit of the former. So Delitzsch, in speaking of the schism of Jeroboam II. (*Old Testament History of Redemption* p. 105 f.), truly says: "For out of dynastic considerations Jeroboam sought to perpetuate the independence of his dominions by destroying the religious unity of both kingdoms, and by introducing a new mode of worship, which, without cutting loose from Jehovah, met the heathen lusts and Egyptian propensities of the masses through the choice of a

Do you think God hungry? Will he eat the flesh of bulls or drink the blood of goats? said the Psalmist, in view of a similar perverseness (l. 13; cf. xl. 7-10). No stronger language is found in any prophet on this subject than in Isaiah.¹ He compares the sacrifice of a lamb to the cutting off the neck of a dog, and in the same passage puts the offering of an oblation on the same level with the presentation of the blood of swine (lxvi. 3). He cannot mean to reject and cast obloquy upon sacrifices themselves; for he elsewhere represents them as praiseworthy and to be desired (xix. 19). In the very context, he indulges, as here, in the language of strong hyperbole. "Where is the house," he asks, as representative of the Highest, "that ye will build for me" (lxvi. 1, 2)? Was he therefore an opponent of an outward temple? And in another place (i. 12, 13): "Who hath required this at your hands, to tread my courts? Bring no more vain oblations; incense is an abomination unto me."

Is this to be taken as prosy literalness? Then, in the same breath that the prophet discourages outward offerings and sacrifices he also favors the closing of the temple gates against his apostate countrymen. There is no argument to prove the one which will not just as really prove the other.

Jeremiah, also, uses language on this point which is scarcely less emphatic. "To what purpose," he asks

symbol derived from the Egyptian steer-god, and flattered the Ephraimitic national pride by the choice of ancient places celebrated through the great national reminiscences connected with them (1 Kings xii. 26 sqq.; Amos iv. 4; v. 5; viii. 14; Hosea iv. 15). This syncretistic state religion (Amos vii. 10, 13), with its self-created priesthood and its servile, fawning prophets, is considered by the prophets of Jehovah in both kingdoms as an accursed apostasy; and so every fraternization of the kings of Judah with the kings of Israel excites the displeasure of the prophets, even when it is favorable to the interests of the kingdom of Judah." Cf. also Smend, *Stud. u. Kritiken*, 1876, pp. 601, 602, 606.

¹ If our critics' theory were true, one might expect, as Bredenkamp has shown (*ibid.* p. 78 f.), to find in Amos and Hosea the most marked antithesis noted between outward offerings and inward piety rather than in Isaiah, Micah, and Jeremiah.

in one place, "is there brought to me incense from Sheba and sweet cane from a far country? Your burnt-offerings are not acceptable, nor your sacrifices sweet, unto me" (vi. 19, 20). When we consider the circumstances of the case, that a wretched reliance on altargifts had in his day gone so far and been so mixed with idolatrous conceptions and practices that every city had its god, every street its shrine (xi. 13), and that a king of Israel in heathenish blindness had even ventured to offer up his own son (2 Kings xvi. 3; cf. Hos. xiii. 2; Mic. vi. 7), is it to be wondered at that a prophet speaking in the name of the Lord should say: "*Your* burnt-offerings are not acceptable, nor *your* sacrifices sweet, unto me"? Is it to be wondered at that sometimes he falls into the language of hyperbole or apparent paradox, so often found needful by our Lord himself?

How poor a vehicle is human speech at the best to carry to human hearts the inspired utterances of a prophet of God! It seems sometimes to stagger with the weight that is put upon it. The words come forth bursting and out of order. And how utterly tame and inconsequent must the communications of a Jeremiah and an Isaiah have appeared even to us, if in circumstances like theirs they had only prosily stated just what our critics require of them.

That Jeremiah was no opponent of sacrifices when properly offered is clear from the fact that elsewhere he speaks of them as the crowning blessing of a happier day (xxxiii. 18, 21). How could he have been opposed to sacrifices? He was himself a priest. More than this, he was contemporary and coadjutor of the very King Josiah in whose reign, according to our critics, the code of Deuteronomy with its provisions for every

form of animal-offerings was foisted on a heedless people.

We find, indeed, no other spirit, touching ritual observances, ruling in any of these earlier prophecies than precisely that which dominates in those that follow the exile, when, as it is supposed, the "Code of the Priests" came to fullest bloom. Zechariah, for example, made his appeal to these very men when a deputation from Bethel came to ask if fasting were still pleasing to God: "(Do ye) not (know)," he pertinently inquires, "the word which Jehovah hath proclaimed by means of the former prophets, when Jerusalem was inhabited and in prosperity?"

"So declareth Jehovah of hosts, saying:
Judgment of truth judge ye,
And mercy and compassion
Do ye each to his brother."

(vii. 9; cf. Isa. lviii. 3 ff.). And Haggai takes greatest pains to show (ii. 11-14) that it is the ethical relation of the people to God that is vital. Consistency, consistency was his demand. Not alone holy flesh and punctilious conformity to sacerdotal rites; but clean hands and a loyal heart. And Malachi, who closes up with great announcements and ringing appeals the goodly line of the ancient prophets of Israel, but reflects in this respect with undiminished splendor the spirit of all who had gone before him. Suddenly the Lord who was longed for would come to his temple. But who could abide the day of his coming? He would appear as a refiner's fire. He would purge the sons of Levi as gold and silver, that their offerings to the Lord should be offerings of righteousness; that Judah and Jerusalem should bring sacrifices that would be pleasant

to the Lord "*as in the days of old, and as in former years*" (iii. 1-4).¹

Is anything more needed to show what was the unchanging attitude of the Israelitish prophets in every period with respect to the development of religious life among the people? The writer of Deuteronomy represents it as well as an Amos or an Isaiah when he says (x. 12): "And now, Israel, what doth thy God require of thee but to fear the Lord thy God, to walk in all his ways, and to love him, and to serve the Lord thy God with all thy heart and with all thy soul?" Above all He represents it, who came as the last and greatest of the prophets, and who said, in sharp rebuke of the spurious ceremonialism of his day, putting its true interpretation on that now disputed text of Hosea: "Go and learn what that meaneth: I will have mercy, and not sacrifice."

¹ So, too, the Son of Sirach, in obvious dependence on the prophets and psalms, although living in the pent-up atmosphere of the later Judaism (Ecclus. xxxv. 1-12):—

"He that keepeth the law bringeth many offerings,
He that taketh heed to the commandment offereth a thank-offering.
He that requiteth a good turn offereth fine flour,
And he that giveth alms sacrificeth praise.
To depart from wickedness is a thing pleasing to the Lord,
And to depart from unrighteousness is a propitiation.
Thou shalt not appear empty before the Lord,
For all these things are done because of the commandment.
The offering of a just man maketh the altar fat,
And the sweet savor thereof is before the Most High.
The sacrifice of a just man is acceptable,
And the memorial thereof shall not be forgotten.
Give the Lord his honor with a friendly eye,
And diminish not the first-fruits of thine hands.
In all thy gifts show a cheerful countenance,
And dedicate thy tithes with gladness.
Give unto the Most High according as he hath given,
And as thou hast gotten, give with a friendly eye.
For the Lord is recompenser,
And will give thee seven times as much.
Do not think to corrupt with gifts, for such he will not receive;
And trust not to unrighteous sacrifices,
For the Lord is judge,
And with him is no respect of persons."

What more natural than that these grand old prophets, if so be that they were true prophets of God, standing firm where priests and people had fallen away, should do this very work? That they should see and should hold up the spiritual side of the Mosaic laws and institutions, insist upon it, emphasize it, and all the more because of the enormous exaggeration of the merely outward by their contemporaries? Like everything else in this world of ours that has lived and made itself felt, the progress of the Israelitish religion was never in straight lines of growth, but always by a kind of action and reaction; revealing mighty underlying forces that pushed it onward, but also other forces, only less mighty, that pushed it backward—a sort of systole and diastole that ever marks the throbbings of a deeper life in human affairs.

And is not this fact that the prophets did the work they did, and stood together to do it, shoulder to shoulder, the shaggy Elijah and the tender Hosea of Israel beside Amos and the great Isaiah of Judah, politically divided, but one in aim and one in spirit against an intractable nation of formalists and idolaters, the strongest proof that they were specially, supernaturally moved of God so to do? Does it not carry in itself the clearest condemnation of that theory of the merely natural development of the Old Testament religion which our critics would persuade us to adopt?¹

¹ It is not so easy to see how, on any just principle of development, the matter is helped for these critics by the supposition of a climax of spirituality in the prophets, and of sacerdotalism in the age that followed them. We might justly expect rather, first, that which is natural, then that which is spiritual. The remark of Smend still remains true, whatever his present attitude toward this theory may be (*ibid.* p. 638): “Schon hiernach möchten wir die Bemerkung Duhms, dass die Prophetie abgestorben sei, als durch Esra das Gesetz in's Leben trat, dahin umkehren, dass das Gesetz kanonische Geltung erhielt, weil die Prophetie abstarb.” Just in this direction, too, points that relatively isolated text in the Book of Proverbs (xxix. 18): “Where there is no vision the people are in disorder; but he that keepeth the law, happy is he.”

And so, without resorting to any of the numerous collateral arguments which might be urged against the theory we have been considering, like the uniform testimony of the oldest witnesses and the repeated confirmatory references of Jesus and his apostles; without calling special attention to the wholesale dislocations, eliminations, conjectural readings, and charges of duplicity against Old Testament writers which would be necessitated by the change proposed; without taking advantage of the *naïve* admissions of some of the ablest of this class of critics showing that their objections to the traditional view, after all, inhere less in the documents themselves than in their own minds and their own invincible prepossessions,¹ we find that, tested by the reasoning on which its supporters themselves most rely, this concerted effort to face about the preëxilic prophets and reconstruct on other principles the history of Israel is a signal failure.

¹ As, for instance, Wellhausen (*Geschichte*, i. p. 11): "Passages out of Amos and Hosea may be adduced which are supposed to show acquaintance with the 'Code of the Priests'; upon him, however, who holds them to be earlier than it, they can make no impression." And Stade (as quoted by Professor Duff in the *Bibliotheca Sacra*, 1882, p. 392): "But I am convinced that the controversy will never be settled by an analysis of the Pentateuch. The view taken of the Pentateuch will depend, on the one hand, on the view taken of the critical structure of the Books of Judges, Samuel, and Kings; and on the other, on the theological valuation of prophecy."

IX.

THE LAW AND THE HISTORICAL BOOKS.

IF the Books of Chronicles were admitted to be genuine and authentic, the criticism that makes a considerable part of the Pentateuch of post-exilian origin would, by its own admission, be impossible. These books assume the existence in every period of the history of this same supposed post-exilian portion; that is, especially, the so-called "Code of the Priests." Their account of David's reign and that of his successors down to the point where the Book of Ezra takes up and continues the narrative is particularly characterized by the dominance of Levitical institutions and laws. Among the long lists of genealogies with which the history is introduced, that of the tribe of Levi is given a noteworthy prominence.¹ David's recovery of the ark and the imposing ceremonies attending its introduction into Jerusalem require not less than three crowded chapters of description and they are fortified by dates, extended lists of proper names, and even the form of service observed on the occasion (1 Chron. xiii., xv., xvi.). Four other chapters are devoted to the classification of the Levites and their assignment to appropriate duties in the temple service (1 Chron. xxiii.-xxvi.). In one instance (2 Chron. vii.

¹ "Ueberall," says Wellhausen, *Geschichte*, i. p. 223, "wird vorausgesetzt, dass Israel während der ganzen Königszeit nach den zwölf Stämmen organisirt gewesen sei; bekanntlich ist diese Voraussetzung grundfalsch."

7-9) a direct effort seems to be made to harmonize a statement of the earlier history (1 Kings viii. 65 f.) with the Mosaic law of the feast of tabernacles.

It is generally recognized, indeed, that a chief aim of the compiler of Chronicles was no other than to direct special attention to such periods and events in Israelitish history as would best *illustrate the ceremonial law* and show what benefits had arisen from such observance. And the one circumstance that here chiefly distinguishes the partisans of Graf and Wellhausen from other scholars is that they regard this aim as inconsistent with a truthful narrative; look upon the history in so far as it has this coloring and is controlled by this purpose as pure fabrication. They not only assert this in every form of emphatic declaration, but carry it to the point of a contemptuous depreciation and ridicule of the Chronicler.¹ It is as precarious a procedure from a logical point of view as, we believe, it is unjustified by the contents of the books.

It is well known that a principal reason given for denying the existence of the ceremonial law previous to the exile is the alleged silence of the historical books concerning it. But here is a book that is full of references to this law, makes it a direct object to emphasize and honor it, and so restores the imperiled balance of the biblical narrative. It provides the information we were looking for.

The first intimation of the existence of the planet Neptune came through the observed perturbations of

¹ "Die Chronik dagegen legt das Gesetz — und zwar im vollen Umfange das ganze pentateuchische Gesetz, namentlich den darin dominirenden Priestercodex — nicht bloss ihrem Urtheil über die Vergangenheit zu Grunde sondern *dichtet auch die Thatfachen* in jene von jeher gültige Norm um und denkt sich das alte hebräische Volk genau nach dem Muster der späteren jüdischen Gemeinde, als einheitlich gegliederte Hierokratie, mit einem streng centralisirten Cultus von uniformer Legitimität an der heiligen Stätte zu Jerusalem." — See Wellhausen, *ibid.* p. 197.

its companion planets. And mathematical reckonings, on the basis of heaven's first law of order, won their secret from the stars. So here, the Old Testament history were an enigma unless Samuel and the Kings have their complement in Chronicles. It must be a very convincing argument, therefore, and one untainted by the suspicion of ulterior aims, that can impeach the authority of so opportune and reasonable a book.

To say that an historian cannot have a special point of view and yet confine himself to facts is surely absurd. To write history with a purely didactic purpose, singling out events and characters best subserving that purpose, is as legitimate an aim as any other. What higher use can history have than to instruct us? In itself it involves no distortion of the truth to display its different aspects, as, for example, the four evangelists have done in their fourfold narrative of the life of Jesus Christ. And that the Chronicler, in view of the lack of prominence given to the ceremonial law in other histories of Israel, current then and since, should deliberately set out with the object of supplementing them in this respect is not only extremely natural, but it is highly creditable to his judgment.

It cannot be denied that the work he produced is based on original written documents, since he quotes them by name. It cannot be denied that from a merely historical standpoint, ecclesiasticism aside, his book is of immense value. Many are the missing links which we discover in his pages.¹ Especially as it concerns

¹ "He alone relates Asa's war with Zerah the Ethiopian (2 Chron. xiv.), the invasion of Jerusalem by hordes of Philistines and Arabians in the time of Jehoram (2 Chron. xxi. 16 ff., important for the understanding of Obadiah, Joel, and Amos), the details of the attack made upon Judah by leagued Syrians and Ephraimites (2 Chron. xxviii. 5, 16 f.), the victory of Jehosaphat over the allied neighboring peoples (2 Chron. xx., important for the history of the Psalms). Through him we have fuller information respecting Ziklag and Hebron as the starting-places of David's dominion (1 Chron. xi., xii.). And

our knowledge of the prophets, of whom we have so little information from any quarter, is his work of rare significance. Six of these devoted men, Oded, Azariah, Hanani, Jahaziel son of Zechariah, Eliezer son of Dodavah, Zechariah son of Jehoida, and their vast influence on the affairs of their times would be otherwise quite unknown to us.¹

One-sided, as it may be called, largely subjective in character, stamped with the spirit and phraseology of a later day, even sometimes tinged with extravagance and hyperbole in its style, as every candid reader must acknowledge, the work of the Chronicler is, notwithstanding, a faithful documentary record. The discrepancies and contradictions which have been charged against it may be readily explained from the peculiar point of view of the compiler, or, in the case of numbers and the like, from corruptions in the text. In short, over against the strained efforts and uncritical insinuations of Wellhausen, it will suffice to place the recent opinion of August Dillmann, who will not be suspected of being governed by the exigencies of a theory. "Chronicles," he says,² "is thoroughly reliable history, being drawn from the official records of the Israelites, which explains the numerous instances in which it coincides, even verbally, with Kings; and where it differs in names, etc., can be explained by textual corruptions either in Chronicles, Kings, or their common source. But the point of view is priestly, and therefore the author dwells at greater length upon those features of the history which are ecclesiastical. . . . The object of the writer was not so much to retell

of all that the better kings did for the *cult*, for popular instruction, for the administration of justice and the defence of the empire, the knowledge derived from the Chronicles is incomparably greater than from the Books of Samuel and Kings." — Franz Delitzsch, in the *Sunday-School Times* for November 24, 1833.

¹ Cf. Delitzsch, *ibid.*

² Herzog's *Encyk.*, 2te Aufl., s.v. "Chronik,"

the story of Israel, as, from the rich historical stores at his command, to select those portions which related more particularly to the history of worship, in order to demonstrate to his compatriots how precious this legacy was, and how fundamental to the existence and prosperity of the new state arising from the ashes of the old." ¹

But let the argument from Chronicles, decisive as it must be regarded, be for the present waived; the remaining historical books, without the support of that one which seems to have been especially charged with the service, offer sufficient evidence that they were antedated by all the Pentateuch codes in all their essential features.

Attention is invited, in the first place, to the peculiar moral atmosphere in which the history moves and its one invariable point of view. It is the more significant that, to such an extent, it must be recognized as an environment, something that cannot be accounted for simply by the letter of the text, that cannot be conjured away by changes in the text. Just as, for example, in the history of our own country written subsequent to the Revolution, or the civil conflict of twenty years ago, one might expect to find a tacit recognition of these overshadowing events in the point of view of a writer of later American history, a tone and spirit discovering itself in the *way he writes*, though never definitely expressed in *what he writes*; so in the history of Israel, we may look for something answering to this after such momentous national crises as the giving of the Law and the subsequent entrance of Israel as a commonwealth of priests upon the

¹ Cf. Strack, in Zückler's *Handbuch*, etc. p. 163, and Brown, in the *Andover Review* for April, 1884, "The Books of Chronicles," etc.

promised possession of Canaan. And we shall not look in vain.

Observe the general plan on which the Books of Judges, Samuel, and the Kings were conceived and constructed as a whole. They are closely connected histories. First Samuel begins where the Book of Judges leaves off, and evidently the choice and shaping of the material of the former book were with definite reference to the latter, to which it appears as a sequel. The same is true of the Books of Kings in relation to Samuel. There is a clear purpose and a unity of purpose throughout. Like the plant that takes its predestined shape while the law and forces of its growth are out of sight, the material of these books assumed its present form, both in general and particular, in obedience to certain fixed ideas which are presupposed rather than announced; or, are largely presupposed as well as, now and then, announced. An impression is carried along from chapter to chapter which is as real as the aroma of a flower and almost as intangible.

It is something of which the historian assumes his readers to be as conscious as he himself is. His tone is never apologetic. His object is never entertainment. He seems always to state facts with a view to enforcing them. The narrative is in no case a bare record of events. It is pragmatical, didactic throughout. Just like the Book of Genesis and only in a less degree just like the Books of Chronicles, it is made use of as the channel for a higher truth, which, after all, is understood to be the principal truth. To fail to recognize this, indeed, would be to lose the key to the history. One may call it an ethical coloring, or a theocratic bias, or what he will, but the influence is always there. It makes the impression upon us of something like a

judicial process. The historian is giving in his testimony. To hear it is to decide at once upon its bearing.¹

Israel appears everywhere as the one chosen people sustaining peculiar relations to Jehovah and owing him peculiar duties. There is a solidarity of interests and of responsibility. A common and universal obligation is recognized. A silent appeal is taken to an assumed standard. Each new character as he appears is faithfully judged by it, and finds his place accordingly among the noble or ignoble of the historic line.

How emphatically is this true in the lives of Samuel, Saul, and David and the story of their mutual relationships! The weightier factor in their histories is the one out of sight. No handwriting on the wall is needed to inform us of the first king of Israel that he has been weighed in the balances and found wanting. There is a line of conduct that is at once felt to be consonant with the principles that, from beginning to end, govern in the composition. There is another line of conduct, and it may be even the prevailing one, that is felt to be out of harmony with those principles, betrays a hateful dissonance not only with them, but with what are supposed to be the better sympathies of the reader.

But, as I have said, we are not left simply to *infer* what the point of view of these books is, most important as that which is to be inferred from their structure and uniform coloring must be regarded in our discussion; it is also written boldly out in the history and even defined by positive statements. And though such

¹ Cf. Conder, *The Origin of the Hebrew Religion*, p. 13 f.: "The feature of the Old Testament we have been considering is not peculiar to Genesis or to the Pentateuch. It pervades the Hebrew Scriptures. It is not that *history is made the medium* of religious instruction. That would be a most narrow and mistaken view of the matter. It is that religion is shown as the soul of history; the supreme reality and central power in human affairs; the deepest foundation of human life."

statements may be relatively few, like the particles of iron in the spring, the whole current of the narrative has been impregnated and tintured by them. The Book of Judges, for example, opens with a detailed review of the causes that produced the desperate state of things it is led to describe; why after Moses and Joshua there should arise such men as Jephthah and Samson; after organization and law, misrule and anarchy. There had been wholesale defection. A generation had arisen which "knew not the Lord nor yet the works which he had done for Israel" (Judges ii. 10). There are, naturally, tribal difficulties. Evidences of a very imperfect civilization are not suppressed. The great mistake and the great crime, however, is everywhere stamped as apostasy. The people, it is true, are not disintegrated altogether. Sometimes they even act as the "congregation of the Lord" in the spirit of the Mosaic institutions (Judges xix.-xxi.); but the leaven of transgression had everywhere left its mark. They had forsaken, it is said, "the Lord God of their fathers who brought them out of the land of Egypt" (ii. 12). They had "provoked" the Lord and his anger was hot against them. They had "turned out of the way" in which their fathers had walked. They "ceased not from their own doing, nor from their stubborn way." They had "transgressed the covenant" of God which he had "commanded their fathers" (ii. *passim*). There can be no doubt, in short, how the writer of the Book of Judges regarded the people of Israel even in that early age: they were, in his eyes, a race of backsliders. They had consciously lapsed from acknowledged standards and been faithless to solemn vows. And their sins are with him just as much sins of folly and wilfulness, are painted every

whit as black as are those of a Jeroboam or a Manasseh in the later books.

Moreover, we are not obliged to change our position as we move down into the Books of Samuel and the Kings. We not only feel that we are in the same atmosphere, but whenever the history speaks, it is in the same ground-tone. Samuel succeeds to Eli and his unfaithful sons, for the alleged reason that they fall below the standard which, as they well know, God has set for them. The warm friendship springing up at first between the prophet Samuel and the youthful king of goodly stature is changed later to estrangement, not because of merely personal differences, but because of the king's failure to respond to certain moral obligations to which it is assumed that prophet and king are equally amenable. "And Samuel said unto Saul, 'Thou hast rejected the word of the Lord¹ and the Lord hath rejected thee.' . . . And Samuel came no more to see Saul until the day of his death; nevertheless, Samuel mourned for Saul" (1 Sam. xv. 26, 35).

What is it that so sharpens the contrast between Saul and David, leads the historian to dwell with evident relish on some peculiar incidents in the latter's history? He sees in him a worthier instrument of the Providential purpose. David recognizes a divine order of things in Israel and bows to it. In his earliest public appearance as the champion of his brethren against Goliath his significant language is: "Who is this *uncircumcised* Philistine that he should defy the armies of the living God?" And again, later: "Thou comest to me with a sword, and with a spear, and with a shield; but I come to thee in the name of the Lord of hosts, the God of the armies of Israel whom thou hast defied"

¹ The "word of the Lord" here, be it observed, is in the form of a Pentateuch law (cf. Deut. xxv. 17-19).

(1 Sam. xvii. 26, 45). It is much that this language says ; it is still more that it suggests.

So when he flees from the fury of Saul, it is to Samuel that he resorts and unbosoms himself (1 Sam. xix. 18). On another occasion it is to the priest Abimelech that he escapes from the dangers that environ him at court (1 Sam. xxi. 2). Later, the prophet Gad directs his flight (1 Sam. xxii. 5). And in still another emergency he unites with his the fortunes of the priest Abiathar (*ibid.* vs. 20).

This power behind the throne in Israel, how noticeably it shows itself and how sympathetically throughout the life of David ! And when led of God, he finally goes up to Hebron to be crowned, his first thought, as king of a reunited people, is for the neglected ark at Kirjath-jearim. In his palace of cedar, too, and amidst the almost ideal glory that crowned the closing period of his reign of forty years, it is solicitude for the temple, the Deuteronomic conception of a worthy sanctuary for the God of Israel, that prompts his highest efforts.

Much has been made of the strong Davidic coloring which, as all must acknowledge, has been given to these standard histories of Samuel and the Kings. But in no merely partisan import are they Davidic. There breathes quite another spirit in them than that of hero-worship. They are Davidic because David was Israelitic in the historic and highest sense ; because he made so largely his goal that which, if the history be true, was also the goal of *every* godly priest, prophet, and loyal son of Abraham, naturally, not excepting the one who penned the records. They are Davidic because the David of the history is the David of the Psalter, to whom "the statutes of the Lord are right, rejoicing the heart" (xix. 9).

So, too, when the affairs of the disrupted kingdom

pass under review, we are left in just as little uncertainty respecting the attitude of the historian. Whatever different hands may, supposably, from first to last, have been engaged on the composition, there is but one point of view discoverable in its present form. The change of dynasties, the love or the hate of kings, the devotion or the disgust of a fickle people work no alteration in that. To do evil in the sight of the Lord and to do right in his sight have not, severally, one sense in Solomon's day and another in Ahab's or Josiah's or Zedekiah's. Whatever charges may be laid against the responsible historian of 1 and 2 Kings, a want of consistency in his historical judgment concerning public men and public events cannot be made one of them. To the standard by which, for example, he tries the principles of Jeroboam the son of Nebat, who caused Israel to sin, he is undeviatingly true to the end.

With peculiar interest he seems to linger on the description of the temple and the services of dedication. He prefers to speak of the life of Solomon when it is at its best; but he disguises nothing. He tells also of his love for strange women, his idolatry and moral degeneracy. He knows how to discriminate in men's conduct between what is really good and what is only relatively so. "Jehoash," he says, "did what was right¹ in the sight of the Lord all his days wherein Jehoida the priest instructed him. But the high-places were not taken away" (2 Kings xii. 3, 4). Amaziah "did what was right in the sight of the Lord, yet not like David his father; he did according to all things as Joash his father did. But the high-places were not taken away" (*ibid.* xiv. 3).

And when the culmination of calamity finally comes

¹ This expression, so frequent in Kings, appears to be derived from Deuteronomy (xii. 28; xiii. 18, 19, and often), and in both books seems to imply a legal standard.

to the northern kingdom, it is only in harmony with his position from the beginning that he makes it the occasion for showing that it is the predicted and natural result of forbidden courses, the lightning-stroke which the people and their rulers had themselves challenged. "In the ninth year of Hoshea, the king of Assyria took Samaria and carried Israel away into Assyria" (2 Kings xvii. 6). "And it was so because the children of Israel had sinned against the Lord their God who had brought them out of the land of Egypt" (vs. 7). They "would not hear, but hardened their necks, like the neck of their fathers" (vs. 13, 14). "And they rejected his statutes and his covenant which he made with their fathers" (vs. 15). "Therefore the Lord was very angry with Israel and removed them out of his sight: there was none left but the tribe of Judah only" (vs. 18). And then, attesting his impartiality, proving that it is from no merely partisan or Judaistic standpoint that he speaks, he frankly adds: "And Judah kept not the commandments of the Lord their God; but walked in the statutes of Israel which they made" (vs. 19).

There is no need of further illustration. No one will attempt to dispute either the uniformity or the definiteness of the moral lesson which has been emblazoned on the historical books of the Old Testament. None can doubt what impression the one historian, or the historians many, meant to make, and to make powerful and deep, upon the Israel of their time. The one indictment of their countrymen under many charges is for apostasy; the one summons amidst a multitude of voiced or unvoiced appeals along the whole line is to repentance and reform.

What, now, have the critics who concede no written

law to Israel before the close of the seventh century to say concerning it? It is just what we should expect to find on the supposition, and only on the supposition, that something answering to the alleged institutions of Moses arose in the age of Moses. I do not say that, of itself, it proves their existence then in their present Pentateuch form. For that other facts will be found to vouch. But until itself disproved, it does prove the reality of a Mosaic era and a paramount Pentateuch influence, if one may so speak, in the shaping of the historic Israel. It is safe to infer the fountain from the stream. And to the same degree, on the other hand, it serves to disprove the rise of essential Mosaism in any period subsequent to that which we have passed in review.

The issue, therefore, is plainly before us. How is it met by the champions of what is called "scientific" criticism? Not, by any means, by a denial of the testimony, at least in its general tenor and outline. It is rather by an unwarranted attack on the character of the witness. The text, it is said, which gives us these results is far from trustworthy. Much of it is purely mythical, especially that of Judges; while the best of it is of a composite character in which old and new, good and bad, are everywhere almost inextricably commingled. It is the critic, it will be observed, the advocate, who constitutes himself also the supreme judge to decide, at sight, what is real and what is false, what is in place and what is out of place. He asks for no consensus of opinions. He quotes nobody. He expects his *ex cathedrâ* judgment to be accepted.¹

¹ Cf. Dwinell, in *Bibliotheca Sacra*, April, 1884, p. 340 f.: "Everything in the historical books, as we have them, from the time of Moses down, which conflicts with this theory, and which intimates the necessity of one place of worship or the existence of a priesthood as a separate order from the Levites, is therefore summarily branded as of later

He is modest enough, however — or is it some other motive than self-distrust that prompts him? — to acknowledge that sometimes even he is at a loss. The fabric has been too cunningly woven even for him. The rotten thread of imposture is there, he affirms, to vitiate the stock; but it cannot with certainty always be disentangled and removed.

Suppose that we object to such a course of reasoning as both unscientific and unhistorical. Suppose that we point to the fatal results of it in the discredit that is brought upon the only supposed reliable history of Israel that the critics have left to us. Suppose, especially, that we bewail the violence that is thereby done to what may be termed the sacred element in the ancient Scriptures. The criticism of Julius Well-

origin and set aside from being evidence in the case. And it is the high function of historical criticism to go through the nominal records of those ancient times, assort their contents, and declare authoritatively when the several parts were written, what portions were original and what interpolations — a task which is not so difficult as it might seem to be, inasmuch as each part must have been written, it is assumed, at a time when it would dovetail in with the stage of religious knowledge which the theory accords to the people at that period. The method and rate of religious progress are assumed, and the facts are interpreted under that, instead of inferring the method and rate of religious progress from the historical records as they have come down to us. The history must be assorted and adapted to the theory of progress, rather than the theory of progress shaped to the history. This makes the task comparatively easy, and at the same time proclaims the greatness and sagacity of the historical critic." Again, p. 347: "Moreover, they are involved in another difficulty. By discarding the account in the historical books detailing the practice of the ceremonial in the early times, and holding that it sprang up under the influence of the prophets, they have this strange phenomenon on their hands: the introduction among a historical people of a revolutionary ritualism, not only with no record of its introduction, and in an age showing no signs of invention or creation apart from the prophets, whose influence was in another direction, but with no recorded historical preparations for it. It sprang fullgrown into power, not like Minerva out of the brain of Jupiter, but out of the womb of historical night and nothingness, historically unannounced, uncaused; and it sprang into such instant dazzling and bewildering influence as to send its glamour back over the past and cause a new history of the preceding times to be written in which it should have the appearance of all the gravity and dignity of hoary age. And this is done in the name of historical criticism, by those who think that sacred history is an orderly and natural flow of events, and is to be explained on rational principles; discrediting the records we have of the antecedents of ritualism, they bring it in at a bound as a new creation, and with such a weird, supernatural power as to charm all the historical records into a false representation of its antiquity! This is another instance of facility of credulity in those who lack faith."

hausen and his associates is appalled by no apparitions of evil that it has conjured up. If it feel a reverence for theocratic institutions and the hand of God in history, it betrays little. It is the very religious element in the records that is stigmatized as most completely spurious. It is the very man who says such sharp things about apostasy, is continually recalling the covenant and other exodus experiences, and has the name of the God of Israel oftenest on his lips, who is pronounced the greatest hypocrite of all. It is he who has put the simple facts and characters of an uncertain period in a Deuteronomic or exilian uniform and made them do battle for ideas that are really foreign to them.

It would be scarcely possible, in short, to exaggerate the stains of corruption which Wellhausen and his co-laborers find penetrating the records in every significant part. The unity of Israel, for example, of which so much is made in the books, is, as he alleges, but a theoretic unity, invented to base upon it the notion of a theocracy. In the genuine tradition it did not exist, but only in the devised one. At the bottom of a false continuity, there lies a false generalization. Even the necessary sins, it is claimed, have been artfully provided to meet the exigencies of an artfully concocted religious narrative.¹ Of the account of the repentance of Israel at Mizpeh in response to the appeals of Samuel, where they are said to have put away Baalim and Ashtaroth to serve the Lord only (1 Sam. vii. 3 ff.), Wellhausen declares that there is not a "true word in it." It was fabricated with a motive and that motive was to idealize Samuel. This prophet was esteemed a pattern saint (Jer. xv. 1). What more natural than that he should be assigned the chief place in the

¹ *Geschichte*, i. p. 243 f.

theocracy, that is, in that religious commonwealth into which the later Judaism deftly transmogrified its earlier counterpart. Actual theocracy there was none; it had been introduced bodily into the history by revision. Grace and guilt are there made to play their part in the course of events like mechanical forces. Its supernaturalism is simple pedantry; its characters and its admonitions are holy or otherwise, "according to receipt." Nothing of the kind, we may be sure, existed in the original narrative. In that, Israel appeared just like any other ancient people.¹

To a logic of this sort we know of no surer or speedier antidote than to display it. The critic resorts to a veritable *coup de grâce*; he settles the question by removing it outside the domain of discussion for believing men. Among the circle of readers to whom this series of papers will come it would certainly occur to very few to hesitate between even the extreme positions of the old theology and the alternative which is here presented.

Attention is invited, accordingly, in the second place, to the uniformity of what may be called fundamental religious ideas as they appear in the historical books, when compared with those of the Pentateuch and of the prophets. They show no break in the continuity. The potential factors of the sacred history are equally those of the lawgiver and of the seer, who is supposed to have been a law unto himself. It is an extraordinary circumstance if the criticism we are criticizing, whatever its method, has reached just conclusions.

Its claim is that the Israelitish religion is but one of the principal ancient religions, having a like origin and governed by precisely similar laws of growth. Its

¹ *Ibid.* p. 259 f., 245 ff.

alleged particular election is an untenable hypothesis. There is nothing whatever supernatural about it. In fact, this people was but one of the several Hebrew tribes that pressed into Canaan. After bitter conflicts, on the principle of the survival of the fittest, it came, finally, to absorb and dominate the rest. It has no actual history, save from the period of the judges. Its beginnings were as rude as the rudest. Its God, Jehovah, was, at first, a tribal deity only, holding to Israel simply the relation that a Chemosh did to the Moabites. Sacred stones and trees long continued to be worshiped without a suspicion of wrongdoing. Gradually by a peculiar reversal of moral outlook what had been the sanctioned and legitimate was stigmatized as idolatrous and criminal. The principal agents in this revolution were the prophets of the eighth century and their successors. So-called Mosaic institutions are the post-exilian blossom of a very small Mosaic germ which it is not easy to trace beyond the period of the earlier kings.¹

Such is the theory. Plausible it surely is *per se*, that is, ignoring the historical books as history and admitting them only as half-mythical stories such as the beginnings of other religions show. It falls in with popular ideas and current tendencies of thought. But the point to be determined is, Does it harmonize with the facts? Does it fit the records of the biblical books as we have them? or can it, without positive violence, be adjusted to them? The test we are now to apply is a perfectly fair one and, in its sphere, may be regarded as decisive. Were the ruling ideas of the prophets by which they are supposed to have revolutionized the religion of Israel original and elemental with them? or

¹ Cf. Kuenen, *The Religion of Israel*, i. Introd. and chaps. i., iv., v; Duhm, *Die Theologie der Propheten*, Prolegom. etc.; Stade, *Geschichte d. Volkes Is.*, p. 127 ff.

were they, in kind, also regarded as fundamental in the Patriarchal and royal periods?

Take, for example, the doctrine that God is one. Is there any evidence whatever that the Jewish people were at any time anything else, ideally, than monotheists? Isaiah represents the God of Israel as saying, "I am the first, and I the last; and beside me there is no God" (Is. xlv. 6). How does that differ in sentiment from the great announcement which prefaces the Decalogue: "Thou shalt have no other gods before me"? It is but an echo of Moses' words in the land of Moab: "Hear, O Israel, the Lord our God is one Lord" (Deut. vi. 4)! "The Lord he is God; there is none else beside him. The Lord he is God in heaven above and upon the earth beneath" (Deut. iv. 35, 39). And the whole history moves on the same level. That there was an ugly trend toward idolatry for nearly a thousand years is not denied; no effort is made by any biblical writer to conceal the fact. It is clear, however, that it generally took the form of a false worship of Jehovah rather than of a direct worship of other deities; it was a transgression of the second commandment rather than of the first. There were, it is true, idolaters of a grosser sort; another Israel within Israel, which dropped down to the plane of all that was base in the surrounding heathenism. It is shown as well by the strenuousness of reiterated prohibitions, as by the details of the narrative. But, unless the whole representation of the historical books is false to the core, the God of Abraham, Isaac, and Jacob, he who delivered from Egyptian oppression, carried Israel as on eagle's wings during the wanderings of the wilderness, dispossessed the Canaanites, alternately punished and delivered the redeemed nation in its earlier lapses,

raised up and stood by his servant Samuel, so that he appears almost like a heavenly apparition on the sacred page, was the glory and reward of such reigns as those of David, Asa, and Josiah, as he was the terror of such as Saul's, Jeroboam's, and Ahab's, was, from beginning to end, one and the same God, not less in the deeper consciousness of the people of Israel than in that of their teachers and leaders.

Moreover, this one God is represented everywhere as the only one of his kind, *the* God, the omnipotent, the eternal, the holy God, Creator, and universal Governor. There may be a difference of emphasis as one rises from the phraseology of the Law and the relative calmness of the historian to the impassioned fervor of prophet and poet; but there is no difference in the essential point of view. There is nowhere discoverable, from first to last, a stage of transition, or any actual traces of one, where the idea of the alleged national God is found passing over into that of the supreme God. It appears nowhere as a mere adumbration, but always full-orbed and complete. Let the improbability, for example, be assumed that some post-exilian scribe stamped on the first verse of the Bible the great and many-sided thought: "In the beginning God created the heavens and the earth." We hear, too, the devout Hannah, at the time when Israel was just emerging from the political chaos which followed the conquest, echoing it in her prayer: "The pillars of the earth are Jehovah's, and he hath set the world upon them" (1 Sam. ii. 8). It is Isaiah, it is true, who suggests that there is but one answer to the inquiry: "Who hath created these things that bring out their host by number?" (xl. 26). But the so-called Jehovistic narrator of Genesis (xviii. 14), in the breadth of his representation surely puts

himself close beside him in the question: "Is there anything too hard for Jehovah?"

We are told that it was with the later prophets that the notion of the divine holiness had its origin and that monotheism itself, in its best sense, was but a fruit of their peculiarly ethical conception of the divine nature.¹ Yet it is in the alleged earliest document of the Pentateuch (Ex. xix. 6, that is, JE) that God is made to say to Israel: "Ye shall be unto me a kingdom of priests, and an holy nation." It is there that we find the sentiment worthy of the period of Israel's spiritual bloom: "Who is like thee, O Lord, among the gods? Who is like thee glorious in holiness, fearful in praises, doing wonders?" (Ex. xv. 11). And it can have been only a deep consciousness of this same awful attribute of the God he served that lent its mysterious power to the finger of the prophet Nathan when he confronted the guilty David (2 Sam. xii. 7), and that gave its keenest barb to Elijah's challenge of Ahab: "I have not troubled Israel; but thou and thy father's house, in that ye have forsaken the commandments of the Lord and gone after Baals" (1 Kings xviii. 18).²

So, too, as it respects the matter of worship through images, the effort to show that there was a gradual development in the historic Israel from mere fetishism up to the spiritual representations of an Isaiah (xxxii. 3), based on such facts as the Ark of the Covenant with its cherubim, circumcision, the dedication of the first-born, and such anomalies as the worship of Aaron's golden calf, the use of ephod, teraphim, and the like,³ fails, not alone in view of the direct prohibition of the second commandment, but of the inability of anybody

¹ See Kuenen, *The Religion of Is.*, i. p. 43 ff.

² Cf. also a portion of Solomon's prayer of dedication (1 Kings viii. 31, 32).

³ Kuenen, *ibid.* i. chap. iv.

to point to a single instance in the history where visible representations of the Deity are actually approved by responsible leaders or even seem to be in harmony with the deeper religious feeling of Israel.

Nothing could be more unfair than to infer the ideal aims of any people simply from what was more or less customary in it, much less from what is claimed by every historical writer to be irregular in its customs. It was left, indeed, to the Master to make the sublime announcement that God is a spirit and that they who worship him must worship him in spirit and in truth. This sentiment, however, was no novelty of the Christian era. It was born in no bitter experiences of the exile. It is found already in the code of Deuteronomy, written as with a pen of iron (xii. 2-4, 29, 30; cf. iv. 15-19; vii. 5, 25, 26; xx. 18). It is displayed, as a jewel on its foil, against the dark background of Israel's earlier Canaanitish history. Gideon made an ephod of the people's ornaments; but mark the characterization of it! It became a "snare" and its service was looked upon as spiritual adultery (Judges viii. 24-27). A similar device of Micah is stigmatized as a thing, a graven image (Judges xvii. 4), and the reverence shown it stamped as an abnormity of a lawless age and a positive antagonizing of the worship of the Lord before the ark at Shiloh (Judges xviii. 31).

The candor of the historian supplies us, also, with the information that King Solomon erected a high-place to Chemosh, the "abomination of the Moabites" (1 Kings xi. 7). But we do not need to be informed that it is the lapsed Solomon. It is he who at an earlier period had given expression to the thought: "Will God, indeed, dwell on the earth? Behold the heaven of heavens cannot contain thee, how much less this house which I have builded" (1 Kings viii. 27).

The better moral sentiment of Israel on this subject during the period of the earlier kings, is well voiced in that masterpiece of the Chokma literature, the Book of Job. "If," says this writer, "I saw the sunlight when it beamed forth and the moon walking in brightness and my heart was secretly befooled and I kissed my hand to them : that, too, would have been a punishable offence ; for I should have played the hypocrite before God on high" (Job xxxi. 26-28). It is equally so, in the evident abhorrence which Jeroboam's legend for his golden calves at Bethel awakened, as far as we know, in every Jewish writer of his and subsequent biblical times : "Behold thy gods, Israel, which brought thee up out of the land of Egypt" (1 Kings xii. 28). How confidently, moreover, this narrator relied on the enlightened moral sense of his countrymen in this characterization of the Egyptianized king of Israel, and how far he is from showing himself a merely partisan historiographer of the southern kingdom, appears in his bold appeal to numerous other facts in the civil policy of Jeroboam, not one of which had any pertinence except as he himself truly represented the course of Israelitish history and spoke from the standpoint of the long ago chosen people (1 Kings xii. 31-33 ; xiii.).

But there is another phenomenon of the Israelitish religion clearly witnessed to by the history in common with the Law and the Prophets to which attention should be called in this connection : it is the universality of its outlook from the start. Its genius might be said to be particularism. Selection and election mark its career from its patriarchal ancestry downward. It is never concealed, however, that the particular is for the general ; the redeemed nation the unit of a redeemed world.

It is claimed, now, and must, on their principles, necessarily be claimed, by the advocates of a merely natural evolution of Israel's history, that this element of universalism is a product of the prophetic period. It is held that before the time of Micah and Isaiah Israel's religious hope and aspiration were shut up within the narrow horizon of the nation politically considered. Largely indebted to their matchless prophets, especially the later ones, for their marvelous perspective, it is freely confessed that this people undoubtedly was. If these men outgrew the name, they never outgrew the prerogative, of seers. They vaulted at a bound intervening centuries and seemed to apprehend not a little of the breadth of that most universal and most characteristic of Christian petitions: "Thy kingdom come"! Still Jews, and in their little rocky home-land burning with a patriotism which no trials could quench, they also spoke jubilantly of a commonwealth of nations, a universal empire of righteousness and peace, where the ransomed of the Lord should return to Zion and sorrow and sighing should flee away.

Our grandest Christian enterprises, in fact, still run in prophetic grooves. It is not St. John and St. Paul who are the patrons of modern missions, but rather the rapt Isaiah. It is his bugle that still, to-day, rallies and guides the march of the militant host. And as, sometimes, there are stars which refuse to be obscured, making themselves manifest even through the splendor of a noonday sun, so there are passages in this and other prophets so luminous with heavenly hope that, not alone in the gloom of Africa or the twilight of the older civilizations, but at the very focus of Christian civilization and enlightenment, they serve as beacons of inspiration and encouragement.

It is true also, as has been already said, that both the earlier and later Israel — though rather the later than the earlier — has been marked by a peculiar isolation. It has been the gulf stream of human society, although with little of its tropic warmth. Balaam's prediction concerning it has been literally verified to our day. It has been a people that has dwelt alone and has not been reckoned among the nations (Num. xxiii. 9). Still, these facts, so far from furnishing a reason for denying the stamp of universalism that has been put upon the institutions and history of Israel throughout, serve rather to display it, on the one hand, by a marked coincidence; on the other, by as marked a contrast. It is not needful to recall our Lord's words to his Jewish contemporaries: "Your father, Abraham, rejoiced to see my day; and he saw it, and was glad" (John viii. 56). The same truth is more than foreshadowed in numerous passages in Genesis (xviii. 18; xxii. 18; xxvi. 4). While it was in this father of Israel that the high-water mark of national election was reached, it is to him also that we may especially look for evidence that such election was a means, had an application that reached to the utmost limits of the pagan world. If, for reasons that are obvious,¹ the principle of universalism, the thought of the Psalmist, "The kingdom is the Lord's, and he is the Governor among the nations" (xxii. 29), was, at first, to some extent kept in abeyance, its existence and wide potentiality are undeniable.

If, for instance, there could be found no other justification for what are termed, in our day, "home missions," a sufficient one might be found in the primitive customs and codes of Israel. There was never a time when others than Israelites were not, by con-

¹ Such as the marked isolation of peoples generally in the earlier periods, and especially the antagonistic attitude almost universally taken toward Israel.

version and religious assimilation, becoming embodied with the Jewish people. No other nation of antiquity had such kindly and humane laws respecting the "strangers" who found refuge among them. They begin in Exodus (xx. 10; xxii. 20, the "Book of the Covenant"), and they make a feature of the Deuteronomic code scarcely second to any other. Long before Micah's startling announcements and Isaiah's visions, we find in many a biblical writer a breadth of conception concerning Israel's future, and a beginning made in what may be called her foreign-missionary work, that are certainly not unworthy of the prophetic climax.

Leaving out of view the far-reaching predictions of the dying patriarchs and other similar indications of Israel's earlier attitude toward the nations, it is the mother of Samuel whose song, echoed in the magnificat of Mary the blessed, exalts Jehovah as the judge of the ends of the earth, before whom the heavens thunder and his enemies lick the dust (1 Sam. ii. 10). Solomon, in his prayer of dedication, where, if anywhere, it might be expected that the sentiment of political and religious centralization would find place, bethinks himself also of the stranger out of a far country, "when he shall come and pray toward this house." He pleads: "Hear then in heaven thy dwelling-place, and do according to all that the stranger calleth to thee for: *that all the people of the earth may know thy name to fear thee as do thy people Israel*" (1 Kings viii. 42, 43; cf. vs. 60). And it may be looked upon as an historical reflection of this petition that it is recorded that when the Queen of Sheba came to "hear the wisdom of Solomon," she was also led to magnify the Lord his God, and to confess that the Lord had "ever loved Israel" (1 Kings x. 9). The most moving picture, perhaps, in the great

career of the prophet Elijah is that of his friendly ministrations to the impoverished Canaanitish widow of Zarephath. Among the most significant acts of Elisha were the healing of Naaman the Syrian and the fore-announcement to Hazael of Damascus, the future scourge of Israel, of his elevation to the throne (2 Kings viii. 7-15). Prophecy is not less prophetic because it shows itself in action as well as in speech.

What one thing, indeed, could better have proved the world-calling of the covenant people than the mission of Jonah to the great Assyrian capital on the banks of the Tigris? In this little book the current of history and prophecy meet and coalesce. It has been justly called¹ "a foreign-missionary book in the midst of the Old Testament"; a divine anticipation of the breaking-down of barriers in the announcement of salvation." Objecting to some parts of the story as fabulous does not explain the reason why such a story is told of the son of Amittai, a contemporary of the prophet Elisha. The fact of his inevitable and unalterable commission is but set in the stronger light by his reluctance to execute it. It was the Jew who resisted, the character that lacks no prominence in the sacred annals, even in those of the New Testament. It is the Israelite, the true son of Abraham, the man who has been lifted into the higher atmosphere of the national institutions, who finally yields and preaches the preaching that he is bidden.

These, now, are some of the most characteristic elements of the religion of Israel. They are acknowledged by all to be such in the most developed stages of that religion. But we find them potential and necessary elements in the patriarchal and royal periods

¹ Delitzsch, *Messianic Prophecies*, p. 58 f.

as well as in the prophetic. If there be any later era of the nation's life when they first began to be introduced, we fail to discover it. If there were a real chrysalis period and condition of these principles, the present text of the Bible gives us no intimation of it; much less of the point of transition where they took the place of others which were their exact opposites and had been disputing the way with them. Signs of conflict, it is true, are sufficiently abundant; but it is with Canaanitish and other heathen customs, which, like the Canaanites themselves, are recognized as under the ban and exist alone by sufferance.

If, accordingly, the theory of our critics be correct, there is a singular confusion of ideas in the books of Judges, Samuel, and the Kings. Not only have they been seriously tampered with, they have been wholly and purposely reconstructed in the interest of a late and largely fanciful conception of Israelitish history. And this, these same critics, as we have seen, do not hesitate to affirm and to make the starting-point of all their reasoning. But let us be consistent. We may accept or we may reject the biblical books as our authorities. We cannot, with fairness, accept what we please and reject what we please, to suit the requirements of an hypothesis confessed to be alien to both the letter and spirit of the Bible as it now exists. It will probably be found, in the end, that what the majority of men and women who have the Bible wish to know is what the biblical writers themselves say. What the critic has to say, if it contradict the Bible, will doubtless be taken for what it is worth. And what it is worth will depend largely upon the evidence he has to offer that he has special facilities for discovering the errors of the Bible and that he

himself may safely be followed where it would lead us astray.¹

We remark in the third place, and finally, that the historical books of the Old Testament contain such references, direct and indirect, to the Pentateuch history and codes in their united form as the Torah mediated by Moses, that we are fully justified, in the circumstances, in inferring, what these histories would plainly have us infer, that they all and severally belong to the Mosaic period.

The references are of such a kind, that is, as to substantiate the point of view, the spirit, the ruling principles of the narrative as we have found them in the preceding investigation. It is not to be overlooked, however, that it is with histories that we now have to do. It would be unfair to demand of them that they give us a detailed account of the regular religious and ecclesiastical usages of the periods they cover, unless they profess to do this, which is clearly not the case. They necessarily take not a little for granted. They were written for people who did not need to be assured of the certainty of many things now considered uncertain. They therefore note, as we would expect them to do, offences against the laws rather than occasions of their regular observance; the extraordinary rather than the ordinary. The principles that governed the writers, their ethical point of view required them to do as

¹ *The Congregationalist* of October 9, 1884, in a notice of Stanley's work on *The Future Religion*, has the following remarks on his methods, which are also pertinent here: "On this basis Mr. Stanley is free to rule in and to rule out, to accept a statement as far as it suits his preconceived theories, and anywhere and anywhen to reject a part, or the whole, as he may find needful for the uses of whatever hypothesis is for the time being in hand. This is convenient for Mr. Stanley. But the inconvenience of it to the reader partly consists in the fact that it requires him to accept that gentleman as the source of all revelation fit to claim human confidence, while failing to suggest so much as a scintilla of proof that he knows any more than everybody else knows about it." Cf also a notice of Von Ranke's *Universal History* in the *Sunday-School Times* for September 13, 1884, p. 586.

much as this. Their duties as historians did not require them to do more.

Taking, now, a hasty survey of the three connected histories of Judges, Samuel, and the Kings,¹ let us see if there has not been left upon them such a peculiar impression of the so-called "Mosaic" institutions as to force us, all things being considered, to the conclusion that their acknowledged point of view is genuine and not assumed; that is, that the Torah in its full extent furnished the literary and moral basis on which they were one and all constructed. We will begin with references that are more or less indefinite; then, take up such as seem unmistakable; and finally, note what is exceptional and might be supposed, if it stood alone, to justify a contrary result.

We find, at the outset, that the Book of Judges is joined to that of Joshua by the conjunction *vav*, and that its opening chapters have the marked coloring of the Book of the Covenant and the code of Deuteronomy (ii. 1-3; cf. Ex. xx. 2; xxiii. 33; Deut. xii. 3 f.). We find the Deuteronomic office of the judge, during this whole period, taking precedence of every other (Deut. xvi. 18 f.; xvii. 8 f.). We find the nation as such, notwithstanding it is so conscious, in this era of land settlements, of its tribal character, sometimes, at least, acting in unison (viii. 22, 23; xx. 1; xxi. 16, 22 f.). We find in the acknowledged kingship of Jehovah a tacit recognition of the most fundamental principle of the theocracy (viii. 22 f.). We see the Levites scattered among the other tribes, enjoying peculiar prerogatives accorded peculiar honors (xvii. 5-13; xix. 1, 2). The rite of circumcision is recognized as a national dis-

¹ The Book of Joshua, which would be a decisive factor in the discussion if it were admitted to it as genuine history, is excluded by our critics as being a part of the Hexateuch whose age and composition are in debate.

tion (xiv. 3 ; cf. xv. 18). The tribe of Judah holds the preëminence which is claimed for it in the history of the exodus (i. 2 ; xx. 18 ; cf. Num. ii. 3 ; x. 14 ; Gen. xlix. 8 ff.).

When, further, we come to the Books of Samuel, we find them introduced by an account of a Levitical and a priestly family and their intimate relationship. Samuel appears as judge to supplant the inefficient Eli ; but also to introduce an office of higher significance and bring back his lapsed people to what he claims to be the old faith and the old service (1 Sam. vii. 3 f.).

The Ark of the Covenant comes into ever greater prominence as the central object of the national sanctuary and the focus of religious life. In the very opening chapters the Elohist history of the Book of Exodus is made a subject of frequent reference (1 Sam. iv. 8 ; viii. 8 ; xii. 8 ; cf. Ex. iii.-xv.). The historian hastens forward to his principal topic, which is the career of David ; but he seems never to forget that the peculiar history of Israel hitherto has furnished the pledge, and is the ground of hope, for its future (cf. 1 Sam. iv. 14-22 ; viii. 6, 7).

In the Books of Kings, the law of the land, precedent, what is sanctioned in distinction from what is often in vogue is, as we have seen, everywhere represented as something that has come down from the fathers. In a surprising number of instances it is definitely connected by name with Moses and with the institutions of Moses (1 Kings ii. 3 ; viii. 9, 53, 56 ; 2 Kings xiv. 6 ; xxviii. 4, 6 ; xxi. 8 ; xxiii. 25). At the same time, what appear to be verbal reminiscences of the Pentateuch history and its two leading codes are scattered about in both Samuel and the Kings like scraps of ore from a central

ledge (1 Sam. ii. 13 ; cf. Deut. xviii. 3 ; 1 Sam. xv. 29 ; cf. Num. xxiii. 19 ; 1 Sam. viii. 5 ; cf. Deut. xvii. 14 ; 2 Sam. vii. 22-24 ; cf. Deut. iv. 7 ; x. 21 ; xiii. 6).¹

These might be called general allusions to the Pentateuch. There is a multitude of others which fail as little in pertinence as in explicitness. The law of the Nazarite, for example, is found only in the "Priests' Code" (Num. vi. 1-21); while the historical books show us that it had its greatest significance as a practice near the close of the period of the judges. In fact, the only Nazarites for life mentioned in the Bible are Samson, Samuel, and John the Baptist. In harmony with all the codes, the eating of the blood, with the flesh, of animals is treated by Saul as a gross offence (1 Sam. xiv. 32, 33 ; cf. Gen. ix. 4 ; Lev. iii. 17 ; Deut. xii. 16, 23 ; xiv. 21, 23). So, too, the command to Saul to destroy the Amalekites rests equally and solidly on the two abutments of an historical fact and legal enactment of the Elohistie Torah, on the one hand, and the code of Deuteronomy, on the other (1 Sam. xv. 1 ff. ; Ex. xvii. 8 ff. ; Deut. xxv. 17-19). We likewise find in this same period of Israel's first king what appears to be the regular observance of the festival of the new moon, a matter legitimated solely by the code of the middle books of the Pentateuch (1 Sam. xx. 5 ; cf. Num. x. 10 ; xxviii. 11). Ceremonial impurity also is looked upon even by Saul as a sufficient occasion for abstinence from religious festivities (1 Sam. xx. 26 ; xxi. 5, 6). The law against the taking of bribes and that making the destruction of every form of witchcraft along with those practising it

¹ Further, with 1 Kings ii. 3 cf., in the original, Deut. xxix. 8 ; with 1 Kings ii. 9 cf. Deut. xxi. 17 ; with 1 Kings xxii. 17 cf. Num. xxvii. 17 ; with 1 Kings xxii. 27 cf. Deut. xvi. 3 ; with 2 Kings v. 27 cf. Ex. iv. 6 ; Num. xii. 10 ; with 2 Kings xiv. 27 cf. Deut. ix. 14 ; xxix. 20.

the imperative duty of the state, we discover already in force under circumstances that greatly enhance the stress that is laid upon them in the codes (1 Sam. viii. 3; xii. 3; cf. Deut. xvi. 9; 1 Sam. xxviii. 9 f.; cf. Deut. xviii. 10, 11).

In the time of Solomon the feast of tabernacles, as well as the other two pilgrimage feasts, are recognized, as it would appear, as established usages (1 Kings viii. 2; ix. 25).¹ In his prayer of dedication specific notice is taken of the blessings and curses of the Pentateuch, both in their earlier and their later form (1 Kings viii.; cf. Lev. xxvi.; Deut. xxviii.). In harmony with Joshua xxi. 8, Anathoth is incidentally indicated as one of the Levitical cities (1 Kings ii. 26; cf. Josh. xiv. 4; Num. xxxv. 8). Of Jeroboam it is said that he purposely transgressed the law respecting the feast of the seventh month, that is, the feast of tabernacles (1 Kings xii. 32 f.; cf. Lev. xxiii. 34 ff.). And of Jehu that he took "no heed to walk in the law of the Lord God of Israel" (2 Kings x. 31). In 2 Kings vii. 3, during the famine in Samaria, we find a company of lepers treated just as the Levitical statutes enjoin, in their exclusion from the camp (Lev. xiii. 46; Num. v. 3).

Other passages represent as something known to every one the hour of morning and evening sacrifice (1 Kings xviii. 29; 2 Kings iii. 20); the law of the trespass-offering and sin-offering (2 Kings xii. 17),²

¹ "Denn wenn 1 Kön. viii. 2 gesagt wird, dass sich das Volk, um Zeuge der Überführung der Bundeslade in den vollendeten Tempel zu sein im 7. Monat *bechāgh* versammelte, so bezieht sich dieses *Chāgh* nicht auf die Tempelweihe (wie es verstehen liese wenn *lāchāgh chāgh* gesagt wäre), sondern auf das in den Tischri fallende Laubenfest, mit welchem Salomo die Tempelweihe verband." — Delitzsch, in *Zeitschrift für kirchliche Wissenschaft*, etc., 1880, p. 173.

² "Schuldopfer- und Sündopfergeld, d. i., das, was man bei diesen Opfern *freiwillig* dem administrirenden Priester für seine *Bemühung* darreichte, s. 4 Mos. 5, 10." — Thenius, *Com.*, in *loc.*

and that of the Sabbath (2 Kings iv. 23. ; cf. xi. 5 f.). In 2 Kings xiv. 6, Amaziah is declared to have acted in a certain matter according to that which was "written in the book of the law of Moses," the code of Deuteronomy being obviously referred to (Deut. xxiv. 16). A few chapters later we are informed concerning the mixed peoples whom the king of Assyria transplanted to the northern kingdom, that they did not "after the law and commandment which the Lord commanded the children of Jacob, whom he named Israel ; with whom the Lord had made a covenant and charged them saying, Ye shall not fear other gods . . . but the Lord who brought you up out of the land of Egypt. . . . And the statutes, and the ordinances, and the law, and the commandment which he wrote for you, ye shall observe to do for evermore ; and ye shall not fear other gods (2 Kings xvii. 34-37 ; cf. Deut. xiii. 4 with vs. 36). Moreover, there is so much said of writing, as of letters and of books, in all this period from Samuel down (1 Sam. x. 25 ; 2 Sam. i. 18 ; xi. 14, 15 ; 1 Kings xi. 41 ; xxi. 8 ; 2 Kings v. 5 ; x. 1 ; xx. 12 ; cf. Ex. xvii. 14 ; xxxii. 32, 33 ; Num. v. 23 ; xxi. 14 ; Deut. xxvii. 8 ; xxxi. 9 ; Josh. x. 13 ; xviii. 9), that it would have been no surprise to us to read, as we do (2 Kings xxii. 3), that in the eighteenth year of King Josiah, on the occasion of certain repairs in the temple, the high-priest, Hilkiah, found there "the book of the law," even if the Pentateuch had not already instructed us (Num. xvii. 22 ; Deut. xvii. 18 ; xxxi. 9, 25, 26 ; cf. Josh. xxiv. 26) that it had been originally deposited beside the ark.

But still further, and still more directly to the point, to go back once more to the beginning, there is the central and indisputable fact that, during the whole

period of the judges, including the life of Samuel, the Mosaic institutions of a national sanctuary and a national Aaronic priesthood existed and were governed, as far as the sacred history informs us, in essential accordance with the Pentateuch legislation. Nowhere, for example, in the Book of Judges is there more than one "house of the Lord" spoken of (xix. 18). Excepting for a brief period and under extraordinary circumstances this was at Shiloh (Judges xviii. 31; 1 Sam. ii. 29).¹ Here Phinehas, grandson of Aaron, officiated as priest (Judges xx. 28), and here the annual festivals were duly and consecutively celebrated (Judges xxi. 19; 1 Sam. i. 3, 7; ii. 14, 19). Eli and his sons are recognized as lineal descendants of Aaron and as called to the priesthood solely on that account (1 Sam. ii. 27, 28; xxii. 20; 1 Kings ii. 27). They dwell at Shiloh, where the "tabernacle of the congregation" (1 Sam. ii. 22) containing the ark and other furniture of the Mosaic structure are found (1 Sam. iv. 4; cf. Ex. xxv. 22; Num. vii. 89). It has the altar (1 Sam. ii. 29), the "lamp of God" (1 Sam. iii. 3), and the table of shewbread (1 Sam. xxi. 5). Here the fat pieces of animals are incensed or offered up by fire (1 Sam. ii. 15, 28). Here, before the door of the "tabernacle of the congregation," as of old, the people assemble (ii. 22) to tithe the tenth (1 Sam. viii. 15, 17), vow their vows (1 Sam. i. 11), and bring to the Lord meal-offerings, burnt-offerings, peace-offerings, and trespass-offerings, all of which forms of sacrifice are recognized in the first ten chapters of 1 Samuel.

It is claimed that at this time the distinction between priest and layman did not exist. But we find, on the

¹ That its being elsewhere was exceptional is evident from what is said in Judges xx. 27. This verse, moreover, shows that "Bethel" and not "house of God" is the proper rendering in the preceding verse.

contrary, the people holding the officiating priests amenable, in their service, to established regulations and warmly resenting innovations regarded as in defiance of law (1 Sam. ii. 13-17; cf. Deut. xviii. 3; Lev. vii. 31, 32). We find the priests using some peculiar implements of the ancient tabernacle which are scarcely mentioned elsewhere outside the code of the middle books of the Pentateuch (1 Sam. ii. 13, 14; cf. Ex. xxvii. 3; xxxviii. 3; Num. iv. 14). We see them habited in the priestly vestments appointed by the great lawgiver, the high-priest, it is to be especially noted, in the ephod with its dazzling breastplate containing the Urim and Thummim (1 Sam. ii. 28; xiv. 3; xxi. 10; xxviii. 6, 15; cf. Ex. xxviii. 30; Lev. viii. 8; Num. xxvii. 18-21; Deut. xxxiii. 8). And, finally, we are able, with reasonable certainty, to identify nearly every incumbent of the high-priest's office from the time of Aaron to that of David as well as from David to the Babylonian exile.¹

Such a mass of evidence, now, as is here furnished in favor of the existence of what was most characteristic in the laws of the Pentateuch cannot be set aside by simple assertions to the contrary. It is not enough that men tell us that, in their opinion, the histories have been worked over in a later period in the spirit of later institutions. We want proof, at least as clear as that which we give, that the laws of the Pentateuch ever existed in any other form than in that in which we now find them. We want positive historical testimony that this process of working over, in the manner thus indicated, was ever

¹ Cf. *s.v.* "Höhepriester" in Riehm's *Handwörterbuch*, etc.; *idem. s.v.* "Zadok." Passages of the historical books on which the principal dependence is placed are Judges xx. 28; Num. xxv. 13; 1 Chron. v. 27-41; vi. 35-38; 1 Sam. xiv. 3; xxi. 1; xxii. 9; 1 Kings ii. 26. See also art. "High-priest" in Smith's *Bible Dictionary*.

so much as attempted by a biblical writer of the later day. A single accredited sample of such work actually done, with names and dates, is certainly not too much to ask of an hypothesis which so upsets all our previous conceptions of the character and method of biblical writers. "No man rendeth a piece from a new garment and putteth it upon an old garment; else he will rend the new, and also the piece from the new will not agree with the old. And no man putteth new wine into old wineskins, else the new wine will burst the skins, and itself will be spilled, and the skins will perish" (Luke v. 36, 37).

Moreover, with such a mass of evidence in support of the old theory, which is also the acknowledged teaching of the Scriptures themselves, that the Torah in all its essential features is Mosaic, there is no difficulty in accounting for what is exceptional and anomalous in the records. Having the law, one can measure the departures from it, and having the history, one can readily account for such departures. The difficulties, on the other hand, begin and multiply to an extent that is quite disheartening the moment we begin to investigate on the principle that the records are anything else rather than a *bona fide* account of things as they really were; that the men who had to do with them were of a character diametrically opposed to that of the Psalmist who wrote: "Who, O Jehovah! shall be a guest in thy Tabernacle? Who shall dwell in thy holy mountain? He that walketh blamelessly, and doeth justice, and speaketh truthfully in his heart" (Ps. xv. 1, 2.)

During the period of the judges we find positively nothing, all the circumstances being considered, that has even the appearance of illegality which is not condemned as illegal. The sacrifice at Bochim was in the

presence of "the angel of the Lord," if not of the ark itself. The altar that Gideon built at Ophrah was solely as a monument (cf. Ex. xvii. 15; Josh. xxii. 16, 26 f.), as the context, where one of another sort is referred to, shows (Judges vi. 24, 25 f.). There is no evidence that it was ever used for sacrifice. Manoah's offering in the open field was in recognition of a theophany, and hence in perfect harmony with Ex. xx. 24, and with the other codes.

Micah was a confessed idolater as well as thief (Judges xvii. 5, 12). His actions prove conclusively that a semi-priestly character was then accorded to Levites. That they were regarded as actual priests it does not prove. Their position throughout the book is wholly consonant with that assigned them in the Pentateuch (xix. i.). Gideon's "ephod" that he made of the earrings taken in battle is stigmatized as idolatrous by epithets worthy of an Isaiah (Judges viii. 24-27.) The expression "before the Lord" cannot justly be understood to refer to an established sanctuary (Judges xi. 11; xx. 1; cf. 1 Sam. xxiii. 18; 1 Kings iii. 6; 2 Chron. xiv. 12; Neh. i. 4, and many other passages). The ark itself, indeed, may to some extent have been carried about from place to place during this period, as we know it was in the following one (with Judges xx. 27, 31 cf. 1 Sam. iv. 3; Num. x. 35). Worship, combined with animal sacrifices in its presence, was, of course, the very thing authorized by every phase of the Pentateuch laws (Judges xx. 26, 27; xxi. 4).

So when we turn to the Books of Samuel and the Kings, it is the presence or the absence of the ark which justifies everything that is normal and sufficiently explains everything that is abnormal in the history. Whether at Shiloh, or in the hands of the Philistines, at

Kirjath-jearim or on Mount Zion, it is everywhere and always, "the Ark of the Covenant," the silent witness from the period of the exodus. There is but one such ark in Israelitish history, and it renders that history in its main features, especially in its characteristic religious features, indivisible and unimpeachable. The secret of the books is the secret of the ark which stored them and between whose cherubim dwelt Jehovah of hosts.

At Shiloh we find the ark in its accustomed place within the tabernacle. It is the old tabernacle as well as the old Mosaic "Ark of the Covenant." It bears its Pentateuch title, "the tent of meeting" (1 Sam. ii. 22; cf. Ex. xxix. 4). It is not, as has been affirmed,¹ a house with posts and doors. It was to the prophet Nathan, considerably later, that the message came from the Lord, saying, "I have not dwelt in a house since the time that I brought up the children of Israel out of Egypt, even to this day, but have walked in a tent and in a tabernacle (2 Sam. vii. 6; cf. 1 Sam. i. 9; iii. 15). Our critics have simply confounded the inclosure of the tabernacle with the tabernacle itself. And they make mistakes even less excusable when they affirm that because it is said of Samuel that he slept within this inclosure, he must have slept in the presence of the ark; and that when it is narrated of Hannah that she made her little son a coat of linen, it betrays an infringement of the "Priests' Code," which allows such a garment only to the highest ecclesiastic.² An "ephod" it is called, to be sure, as is the garment which David wore when he danced before the ark (1 Sam. ii. 18; 2 Sam. vi. 14), but a "linen ephod" in both cases, which was a very different thing from that which formed a principal article of the high-priest's official costume.

¹ Smith, *Old Testament in the Jewish Church*, p. 258 f.

² Smith, *ibid.* p. 259.

And when we carefully scan in the succeeding history the list of alleged transgressions of Pentateuch laws, especially that of sacrificial worship at a central altar, it will be found that not a single one of these cases occurs before a certain fixed date, and that there is not one that is not clearly disapproved after another fixed date. The close of the first period is definitely marked by the capture of the ark at Shiloh; the beginning of the second, by the erection and dedication of the temple at Jerusalem. Between these two points, a space of not far from a hundred years, are found clustered together the most of those anomalies on which such extraordinary conclusions have been based.¹ Anomalies occurred then simply because the times were anomalous. The capture of the ark by the Philistines, and its subsequent obscurity and neglect throughout the remainder of Samuel's regency and the whole of Saul's reign, equally signalized a period of dreadful spiritual relapse on the part of Israel, the abandonment of covenant obligations, and a temporary suspension of the laws of the covenant. "Ichabod"! was the dying exclamation of Eli's daughter-in-law. "The glory is departed from Israel; for the ark of God is taken" (1 Sam. iv. 19-22). "God was wroth with his inheritance," says the Psalmist, referring to the same event, "so that he forsook the tabernacle of Shiloh, the tent which he placed among men" (Ps. lxxviii. 58-62).

¹ "There is not from Joshua to Samuel a recorded instance of sacrifice elsewhere than at Shiloh which is not explicitly declared to have been offered either in presence of the ark or in connection with an immediate manifestation of the presence of Jehovah or of the Angel of Jehovah. And no sacrifice was offered by any one not a descendant of Aaron, except when Jehovah or the Angel of Jehovah had appeared to him. The only exceptions are expressly characterized by the sacred historian as open and flagrant transgressions of known law: as the idolatry at Ophrah (Judges viii. 27) and that of the renegade Micah (xvii. 5), not to speak of apostasy to Baal and Ashtoreth which is reprobated and chastised from the beginning to the end. The Book of Judges does not contain a trace of sanctioned, or even tolerated, worship upon high-places." — Professor Green, *Moses and the Prophets*, p. 137 f.

Statute law, for the time being, whose support and sanction was the God who dwelt between the cherubim, gave way to common law, and men returned to customs that ruled before the days of Moses. This, indeed, along with outward afflictions, was the providential means intended to bring back the people to a sense of their obligation and their need. And it succeeded. They "lamented after the Lord" (1 Sam. vii. 2) and by this very discipline were prepared, as they could not otherwise have been, to understand the spiritual significance of the temple at Jerusalem.

It is thus, then, that we explain the fact of Samuel's sacrificing at Mizpeh, Ramah, Bethlehem, Gilgal, and possibly other places (1 Sam. vii. 5-9, 16; x. 8; xi. 14, 15; xvi. 2 ff.), and that he did it while the tabernacle was at Nob and even after the ark had been brought back to Kirjath-jearim. He acted on the principle that a central sanctuary no longer existed. Its law he regarded as for the time being in abeyance. In fact, the original conditions of its observance were no longer present (Deut. xii. 10). It is everywhere assumed, moreover, that in doing so he was divinely directed; that just as really as Moses in mediating the laws, Samuel was an extraordinary agent of Jehovah in temporarily suspending them. To obey was better than sacrifice (1 Sam. xv. 22, 23).

And as it concerns the sacrificial worship offered at various places by others, as by David's family at Bethlehem (1 Sam. xx. 6), Absalom at Hebron (? 2 Sam. xv. 7-9), David himself at the threshing-floor of Araunah (2 Sam. xxiv. 18), Adonijah at En-rogel (1 Kings i. 7-9), Solomon at Gibeon (1 Kings iii. 4), Elijah on Carmel (1 Kings xviii.), when they are not represented, as in the last case, to be in obedience to a divine command

(vs. 36), they may be looked upon, one and all, as simply illustrating the principle *necessitas non habet legem*. There existed no one place in this period of the retirement of the ark from its accustomed and historic position which was really more legitimate and authorized than another.

Just this absence of a legal sanction for worship previous to the time of Solomon is indicated by the writer of the Books of Kings when he says: "Only the people sacrificed in high-places, because there was no house built unto the name of the Lord until those days" (1 Kings iii. 2). Its potency as a rallying-point had *purposely and as a punishment of disobedience* been withdrawn from the ark; it was only restored and this sacred object again became the appointed meeting-place of God and his people after its establishment within the consecrated temple (1 Kings xiv. 21).¹ Sporadic worship at these various places did not constitute them sanctuaries in the same sense that the ark had been a sanctuary. Their sole justification was necessity. And the moment the necessity ceased, they cease to be accorded even a *quasi*-sanction.²

¹ That men who are not priests should offer sacrifices may be looked upon, indeed, as irregular (Lev. i. 9 f.; v. 8 f.); but even the most stringent regulations of the "Priests' Code" do not *absolutely forbid it*. Others than priests, therefore, on special and extraordinary occasions, might officiate in this capacity, without offending against the Mosaic regulations. Still it is by no means certain that, in several instances which we find in the history where persons are spoken of as offering sacrifices, the meaning is not that they *had* sacrifices offered. *Qui facit per alium, facit per se*. The case of Saul (1 Sam. xiv. 33-35) is not one of proper sacrifice.

² It was probably with reference to the temple which he proposed to build (2 Sam. vii.) that David, when he brought up the ark from Kirjath-jearim, did not also bring up the tabernacle from Gibeon (2 Sam. vi. 17). The tent which he pitched in the city of David was meant to foreshadow the future home of the ark and centre the nation's attention upon it. This purpose of David was providentially greatly forwarded, when the treachery of Abiathar furnished Solomon with an occasion for removing him from his post as high-priest on Zion and putting in his place the loyal Zadok, who hitherto had acted in this capacity in connection with the tabernacle in Gibeon (1 Kings ii. 26 f.; cf. 1 Chron. xvi. 39; xxiv. 3; 2 Sam. viii. 17; xv. 24-29, 35; xx. 25; and *s.v.* "Zadok," in Riehm's *Handwörterbuch*, etc.). With the anomaly of a dual high-priesthood it was doubtless meant to put an end also to the equal anomaly of *unlegalized*, as well as *illegal*, worship in Israel.

There is no sign in the biblical books that subsequent to the dedication of the temple worship in other places was approved. Here the writer of Kings is of one mind with the writer of Chronicles; and, it may be added, with the Psalter and contemporaneous prophets. He is obviously out of conceit with Asa, Jehosaphat, and the other relatively good kings that in their reforms they stop short of removing the high-places (1 Kings xv. 14; xxii. 43). This is proved not alone by referring to the Books of Chronicles (2 Chron. xiv. 3-5; xvii. 6), where the whole matter is set in the clearest light; but by the way in which the facts are stated in Kings. After an enumeration of what these men did in the direction of moral renovation that was right, he uniformly adds: "Nevertheless, the high-places were not taken away."

Ahaz, in fact, is directly blamed for sacrificing in the high-places (2 Kings xvi. 4). It is no evidence that the kings, especially the good ones, inwardly approved of the Bamoth because they failed to extirpate them. It is no sufficient evidence that there was no law and no dominant public sentiment already formed against these places, because at some of the Bamoth Jehovah himself was worshiped and the ministry was by Levitical priests (2 Kings xviii. 22; xxiii. 8, 9). The circumstances and particularly the force of inveterate custom are to be considered. It was the beginning of a period and it was also the end of one. The transition could not well have been made without more or less of such irregularities as we find recorded in the history. And as it concerns the northern kingdom, there is nothing in its ecclesiastical non-conformity that cannot be readily accounted for by its political non-conformity. The watchword, "What

portion have we in David? . . . To your tents, O Israel," which the ten tribes took up in the days of Rehoboam, furnishes a key to all their un-Mosaic and unhistorical divergences and excesses.

In fact, there is nothing so very hard to understand in this people's attitude toward the law in any period, if the biblical history, brief as it is, be heartily accepted. It was a people of whom it is confessed by its own writers that it fell into gross idolatry in the very presence of Mount Sinai and omitted for forty years the first necessary step toward the recognition of the covenant by which it had solemnly bound itself, that is, the observance of the rite of circumcision (Josh. v. 2 ff.). Its great lawgiver predicted apostasy with his latest breath (Deut. xxviii. f.). Its greatest military leader died with admonitions on his lips (Josh. xxiv. 14 ff.).

How completely this untutored child which came up out of Egypt was dependent on its external circumstances, particularly its immediate leaders, for moral stimulus, could not be more suggestively set forth than in those words which close the Book of Joshua: "And Israel served the Lord all the days of Joshua and all the days of the elders that overlived Joshua and who had known all the works of the Lord that he had done for Israel." There were some hundreds of probationary years in which there was no Joshua and no such elders with vivid memories of God's deeds; when there were only Samsons and Jephthahs and Gideons; men of faith and heroism, it is true, but certainly lacking in deep religious feeling and quickened consciences for the law of Jehovah.

Israel's need of worthy leaders seemed never to be greater than when it was without them. It was in closest contact with an alien civilization considerably

superior to its own. It was in a hand-to-hand grapple with religious customs which were fascinating and seductive to the last degree. That it made a sad failure is not strange. That it did not make a total failure is due solely to direct providential interposition. Moses and Joshua could not come back again ; but a Samuel was raised up, and henceforth the forces that contended against the little Israel of Siniatic memories had the mighty line of prophets to reckon with. "And when [after the enthronement of David over all Israel] more peaceable and settled times came, the tradition was broken. Customs, heathen and idolatrous, or at least contrary to the law, had become inveterate. It was found impossible to enforce laws which had been so long ignored. The revival of laws which are old and may be deemed obsolete is always a difficult task. To abolish old customs is beyond the power of absolute kings. We may wonder that David did not enforce the exact observance of the law of Moses, but the history indicates that his power over his subjects was by no means absolute. When the one shrine was established in Jerusalem, obedience to the Mosaic law and the supremacy of the tribe of Judah would be closely connected in the people's mind. Moreover, David was not allowed to build the temple, apart from which the ceremonial code could not be carried out. If David's failure to enforce the law can be accounted for, the failure of his successors need cause us little trouble. His practice was an ideal to which they rarely attained. The written law would have no force against immemorial custom. Nothing less than a revolution, nothing less than the destruction of the national life for a while, could give back to the law its rightful authority." ¹

¹ See Watson, *The Law and the Prophets*, p. 120.

X.

THE LAW AND THE PSALMS.

IN discussing the question, what impression, if any, has been left by the Law upon the Book of Psalms, it is important to agree, at the outset, upon some general principles which shall govern us, and to fix, if possible, a common point of view. The Psalms form a collection. At what time, approximately, was this collection closed? They are products of various periods and of a considerable number of different authors. Can the age and authorship of a large proportion of them be fixed with sufficient certainty to make a discussion of this sort practicable and satisfactory? More definitely, is the Book of Psalms pre-exilian in its essential features, or is it post-exilian? It should not be difficult to secure among biblical scholars a fair measure of unanimity in these preliminary matters.

First, as it respects the collection, we have direct evidence of its virtual completion previous to the close of the Persian period, that is, before B.C. 333. We learn, for example, from 1 Chron. xvi. 36, that the Psalter at that time was divided into books, as at present, and that the doxologies with which these books conclude had been already added to them. To affirm that no composition could have found its way into the collection after this period would perhaps be unjustifiable. It may be said that it cannot be proved that there were any.

And, if there were such, they were not only exceedingly few, but must have been inserted, by exception, in a collection looked upon as formally complete.

The position of the Psalter in the ancient lists of Old Testament canonical books, at the head of the third collection, and the fact that it gave its name to this series is highly significant. The fact that the Septuagint version (B.C. 284-145)¹ has precisely the same list of psalms, in the same order, is equally significant. The fact that the Seventy ascribed some of the psalms which they found without note of authorship to David, others to certain of the canonical prophets, but none to a later date, while leaving quite a number to circulate in the anonymous form in which they had received them, shows what opinion they held respecting the antiquity of the Book.²

Here, then, we may establish one principal chronological boundary. The Book of Psalms was brought to an orderly conclusion sometime during the Persian supremacy. Its fivefold division, in imitation of the Pentateuch, with proem and praiseful afterpart, had already, at the date of the Chronicler, been given to it. The possibility of fugitive Maccabæan psalms need not be disputed, extremely doubtful though they be. A Maccabæan Psalter is simply an absurdity to smile at. The Hebrew songs with which the Maccabæan heroes sometimes introduced their battles (2 Macc. xii. 37 ; xv. 29) were clearly those of Israel's greatest warrior, David. The books which they gathered together after the desolating wars of the Seleucidæ were the books that long before had received the sanction of

¹ See my discussion of its age in *The Apocrypha of the O. T.* (N. Y., 1880), p. 18.

² It is, of course, not *impossible* that the Seventy had manuscript authority for these changes. The conclusion we draw from the fact would not be altered if it were so. Jeremiah, Ezekiel, Haggai, and Zechariah have certain psalms imputed to them (137, 138, 146-148).

the wisest and best of their countrymen (1 Macc. i. 56; 2 Macc. ii. 14).

But if the Book of Psalms was completed not long after the return of the exulants from Babylon, it was even more certainly begun not later than King David and the bulk of it written within two hundred years of his reign. Its core, and what still forms the characteristic and greater portion of it, seems to have formed, in fact, the standard Book of Praise in the temple of Solomon.¹

The early history of Israel may be said, without exaggeration, to abound in lyrical compositions.² From Egypt the people brought musical instruments and in that land they came in contact with specimens of the poetic art that are still the admiration of the learned.³ The prophetic schools established by Samuel were direct promoters of instrumental music and song (1 Sam. xix. 19 f.).

David, accordingly, with his natural taste for lyric poetry, was in the best circumstances to attain a remarkable success in its cultivation. That he was devoted to it from his youth there is abundant evidence outside the Psalter (2 Sam. i. 17 f.; iii. 33 f.; xxiii. 1-5). His harp, a principal occasion for his introduction to the court of Saul, was no less the solace of his own later years. One of the favorite titles by which he was known among his people was "the sweet psalmist of Israel" (2 Sam. xxiii. 1). The first result of his anointing by the prophet Samuel seems to have been a higher uplifting of soul in sacred song. It is indisputable that in David's time music and psalmody reached

¹ It is by no means unlikely that Psalm lxxii. marks the limit of an original collection which was for the most part Davidic. See vs. 20.

² Cf., for example, Gen. iv. 23, 24; Ex. xv.; Deut. xxxii.; Judges v.; 1 Sam. ii. 10 ff.

³ See "Hymn to Amen-Ra" in *Records of the Past*, ii. p. 127 ff.

their highest bloom in Israel. An orchestra of four thousand instruments accompanied and led the songs of the sanctuary (1 Chron. xxiii. 5). The names of his choir-leaders, an Asaph and a Heman, were thought worthy of an honor scarcely second to that of a Joab or an Abner (1 Chron. xxv.). Even two centuries later, in the rival kingdom of the north, it was the musical skill of David that was cited as the standard and chief example of high attainment (Am. vi. 5).¹

It is no surprise, therefore, that we find nearly one half of the entire number of psalms ascribed to David and more than a score of others to his chief singers and their families. There is no sufficient reason for rejecting these ancient superscriptions. They have a real and unimpeachable historical value. They give the earliest accessible information respecting the origin of the compositions to which they are attached. They are in fullest harmony with all our *a priori* conclusions. They come down to us, along with the original text, from an age that had already become antiquity when the Septuagint appeared. The very musical notes that accompany them were unintelligible to the scholars of the Maccabæan times.

Besides the period of David and his immediate successors, there is but one other in Jewish history when the writing of psalms could well have flourished: that which closely followed the exile. It was, at least, a true instinct that led the Greek translators to attach the names of post-exilian prophets to some of the nameless psalms which reached them. The harps that had been hung upon the willows in Babylon undoubtedly inspired the march of the homeward bound and beguiled their work of restoration. But the

¹ Cf. also the notable tribute of Sirach's son, *Eccclus.* xlvii. 8-11.

number of post-exilian psalms, whether considered as matter of history or of criticism, cannot have been large. They do not predominate in the collection. They may generally be distinguished from the original portions of it by features that are unmistakable.

On these principles, then, the discussion in the present paper will be conducted: (1) That a large nucleus, if not the bulk, of the Book of Psalms originated with David and his immediate successors. (2) That the titles are to be taken as genuine and authentic unless positive and convincing testimony to the contrary can be adduced. (3) That it is safe to argue, not alone from individual psalms, but from the spirit and teaching of the collection as a whole, especially the *acknowledged earliest collection* whose boundaries have already been indicated (cf. Ps. lxxii. 20). Within these general limitations, simply taking care, in detail, that no just canon of biblical criticism be violated, we may move alike with freedom and with confidence.

In the first place, then, let attention be directed to a few apparent *verbal correspondences* between a number of psalms and the Pentateuch, naturally implying the priority of the latter. When, for example, in the fifth psalm, which is ascribed to David,¹ we hear one saying, "O Jehovah! In the morning thou shalt hear my voice; in the morning *I will make ready for thee*," we find the author very fitly and beautifully employing the exact original expression used in the Pentateuch for laying in order the wood and the victim on the altar of sacrifice (Gen. xxii. 9; Lev. i. 7, 8; vi. 5). When, again, in another place (Ps. vii. 13), the same alleged writer² declares 'that, if the sinner turn not,

¹ The contents of the psalm are in no respect out of harmony with the Davidic authorship claimed for it.

² The psalms iii.-xix., excepting only v., vi., and xiv., even Hitzig regarded as forming the genuine Davidic kernel of the whole Psalter.

God will "whet his sword" of retribution, the intense realism and anthropomorphism of the figure startle us less, because we recall the fact that it likewise occurs in that old and high-wrought "Song of Moses" which crowns his closing work (Deut. xxxii. 41 f.). In fact, this is its only other occurrence in the Old Testament. The eighth psalm is very generally conceded to be from the pen of David. It has already been shown¹ that not only the thought, but the precise order of it, is taken from the biblical narrative of the creation (Gen. i. 26 f.). It was not pointed out, however, that the dependence extends even to the etymology of the words; and that when the Psalmist speaks of the Creator as making man "rule" over the works of his hands and of putting them "all under his feet," he has in mind, as it should seem, the *yirdû* and *redhû* of the primitive records (Gen. i. 26, 28), and insensibly they give its peculiar coloring to his style. In the following psalm (ix. 17;² cf. xxxviii. 13; cix. ii.) we read that the wicked are *snared* in the work of their own hands. The Hebrew word so translated is first used in this figurative sense in Deuteronomy (xii. 30), where it is applied to the seductions of Canaanitish idolatry.

The remarkable petition, a little further on (Ps. xvii. 8),

"Keep me as the pupil of the eye;³
Under the shadow of thy wings hide me,"

is a second, and a double one, of the many echoes of the sublime and most suggestive "Shîrâh" of Moses, found near the close of Deuteronomy (xxxii. 10, 11). The astounding, not to say paradoxical, epithet given

¹ See the introductory paper, p. 24.

² The fact that psalm ix. is acrostic is no evidence that it is not Davidic. See Delitzsch, *Com.*, *in loco*.

³ Literally, "little man, daughter of the eye."

to Jehovah in the eighteenth psalm¹ (vs. 3) and often elsewhere in the collection, "My *rock* in whom I take refuge," is from the same prolific source (Deut. xxxii. 4, 37). There is nothing more marked in the Hebrew poetical literature of the later times, or more full of sparkle, it may be added, than these gems borrowed from the ancient songs. Their setting may be changed, but they have a lustre, wherever found, peculiarly their own. Here is one, for instance, from the memorable pæan of victory chanted by the Israelites on their escape from Pharaoh and the Red Sea. It is set in the crown of the composition: "Jehovah is a *man of war*, Jehovah is his name" (Ex. xv. 3). Who could ever forget the bold metaphor? There is scarcely any end to the changes that are rung upon it from Moses (Deut. xxxii. 41 f.) down. To David, himself a man of war, it offered the very thought he needed for many an impassioned utterance like that which introduces the following outburst (Ps. xxxv. 1, 2):—

"Strive thou, O Jehovah! with them that strive with me;
Fight against them that fight against me.
Grasp the shield and buckler,
And arise in my defence."

In a context rich in reminiscences of the Pentateuch we find in still another psalm (lv. 4) a rare expression, which, outside the history of Jacob and Joseph, appears only in the Book of Job. "With a hatred relentless as that of Esau and unnatural as that of Joseph's brethren," the hunted fugitive seems to say:—

"*They threaten*² me with evil,
And angrily assail me."

¹ The genuineness of the title which ascribes the composition to David is supported by 2 Sam. xxii., where also the psalm is found.

² There can be little doubt that the figure of Ahithophel is before David's mind and calls forth the significant word from the patriarchal narratives (Gen. xxvii. 41; xlix. 23; l. 15).

To the Israelite of the exodus what more suggestive or thrilling sight, whether in camp or field, the Ark of the Covenant perhaps alone excepted, than the waving pennants of the several tribes (cf. Num. i. 52 ; ii. 2 ; x. 14) ! We cannot well be mistaken therefore in supposing, especially in view of the extreme rarity of the term, that it was with a direct historic outlook and inspiration that David wrote the stirring challenge (Ps. xx. 6) : —

“We shout for joy in thy salvation ;
In the name of our God we *display our banner*.”¹

Such are simple specimens of the influence favorite words and expressions of the earliest Hebrew literature seem to have left on the earliest compositions of the Psalter. They might easily be multiplied. They are no unimportant element in the criticism and should not be overlooked. If they stood alone they would not be without their value. They represent, however, the weakest and humblest in that rich chorus of voices which throughout the Psalms bears witness to the overshadowing influence of the Mosaic literature.

Attention is called accordingly, in the next place, to some of the abundant allusions within the same limited range of primitive psalms to *fundamental facts of Pentateuch history*. If we mistake not, the history of Joseph is referred to in the proem of the collection (i. 3, last clause).² In the third psalm,³ when it is said: “But thou, O Jehovah ! art a *shield* about me,” the great promise made to Abraham in Genesis (xv. 1 ;

¹ The word *dāghal* is at home in Numbers, but outside our psalm is nowhere else found, except in Canticles.

² It was written before Jeremiah “denn Jeremia kannte ihn; das Fluch-und Segenswort, Jer. xvii. 5-8, ist wie eine auslegende und aussmückende Paraphrase.” — Delitzsch. *Com., in loco*. Cf. Gen. xxxix. 3, 23.

³ It is entitled *l^e Dhāvidh*, and internal characteristics support the tradition.

cf. Deut. xxxiii. 29) is clearly reflected. Further on, in the same poem (vs. 8), Moses' notable formula of invocation before the Ark of the Covenant, as it took its appointed place in advance of the host, is called to mind, as often elsewhere in our book, in the impassioned *Qūmāh Yēhōvāh*, "Arise, O Jehovah" (Num. x. 35; cf. Ps. vii. 7; ix. 20). In the following psalm (vs. 4),¹ the circumstance of which so much is made in the Book of Exodus (xi. 7, etc.), that God had "put a difference" between Israel and its oppressors, seems to be reflected in the sentiment, "Jehovah keepeth apart his beloved for himself," the unfamiliar word of the earlier work reappearing in the later. In the immediate context (vs. 7), too, the oft-recurring priestly benediction (Num. vi. 26 f.) is paraphrased and other evidences of the Torah's influence are not wanting.

Then follow in succession references, as it should seem, to the memorable commission of Moses respecting Amalek (Ps. ix. 6; cf., in the original, Ex. xvii. 14-16; Deut. xxv. 17 f.); to the blessing of Noah (Ps. ix. 13; cf. Gen. ix. 5); the formation of man from dust (Ps. ix. 18; cf. Gen. iii. 19); the overthrow of Sodom and Gomorrah (Ps. xi. 6; cf. Gen. xix. 24 f.);² to the deluge (Ps. xiv. 2;³ cf. Ps. xxix. 10; Gen. xi. 5; xviii. 21); the extraordinary condescension of Jehovah to his servant Moses in the matter of the vision (Ps. xvii. 15; cf. Ex. xxxiii. 20; Num. xii. 8); the exposure of Moses in his infancy (Ps. xviii. 17; cf. Ex. ii. 10, *Māshāh*); to the sublime record of the creation (Ps. xxiv. 2; cf. Gen.

¹ There is no reason for disputing the title which calls Psalm iv. a "psalm of David."

² Psalm xi. is acknowledged by Ewald and Hitzig to be Davidic.

³ Of Psalm xiv. Delitzsch says: "In dem Verwerfungsurtheil über die sittlich-religiöse Beschaffenheit der gegenwärtigen Menschheit welches Psalm 14 mit Psalm 12 gemein hat, liegt zugleich eine Bestätigung für das *1^e Dhāvidh* beider; 14:7 aber nöthig uns nicht in die Zeit des Exils hinab." — *Com., in loco.*

i. 1, 2, 9; Ps. xxxiii. 6);¹ to Jehovah's memorable testimony concerning Abraham (Ps. xxv. 14; cf. Gen. xviii. 17);² the famine that drove the family of Jacob into Egypt (Ps. xxxvii. 19; see word for "famine" here and found elsewhere in Gen. xlii. 19, 33 only);³ to the translation of Enoch (Ps. xlix. 16; cf. Gen. v. 24);⁴ the solemn ceremonies attending the ratification of the covenant at Sinai (Ps. l. 5; cf. Ex. xxiv. 5-8);⁵ the confusion of tongues at Babel (Ps. lv. 10; cf. Gen. x. 25);⁶ Jacob's halting-places on his return from Padan Aram (Ps. lx. 8, 9; cf. Gen. xxxiii. 17, 18),⁷ and to the passage of the Red Sea after the deliverance from Egypt (Ps. lxvi. 11, 12).⁸ Within the compass of the first seventy psalms, that is, in a series of compositions ascribed almost without exception to King David, and none of them containing matter in conflict with such a claim, we find apparent references to such momentous events in Pentateuch history as the creation of the world and of man, the translation of Enoch, the Deluge, the blessing of Noah, the confusion of tongues, prominent incidents in the life of Abraham and of Jacob, the fiery judgment on the cities of the plain, the bondage in Egypt and the miraculous deliverance from it, to Moses by a singular allusion to the origin of his name, as well as other personal references, and to the solemn giving of the law at Sinai. Scarcely a leading fact or personage, indeed, is overlooked. And yet, to appear-

¹ Ewald and Hitzig agree with Delitzsch in ascribing Psalm xxiv. to David.

² Psalm xxv. contains nothing inconsistent with Davidic authorship.

³ Psalm xxxvii. is said to be "by David," and Delitzsch pronounces it worthy of him.

⁴ Psalm xlix. is by the "sons of Korah." It has the doctrinal coloring of the Davidic psalms and need not be much later.

⁵ Psalm l. is "by Asaph," but has no signs of a late period (cf. 2 Chron. xxix. 39).

⁶ Psalm lv. is said to be "by David," though Hitzig refers it to the time of Jeremiah.

⁷ Psalm lx. refers to David's war with the allied Syrians and Ammonites.

⁸ The allusion to instrumental accompaniment in the title points at least to a pre-exilian origin for the psalm.

ance, it is wholly fortuitous. There is evidently no effort made to reproduce a single fact as such and for its own sake. They spring unbidden to the singer's lips. The very freedom and deftness of manipulation, a touch as light as that which fell upon the harpstrings, attest the currency of the narratives and a common acquaintance of the people with them.

But this is not all. *The Law proper, the great body of legislation to be found in the Pentateuch, still more emphatically than the history, has left its impression on the minds of Israel's earliest song-writers.* This law is cited by its historic title in the very opening stanza of the Psalter (i. 3; cf. Deut. xi. 18-20; xvii. 19; Josh. i. 8, and Ps. xl. 8, 9). The Deuteronomist's striking phrase, "sacrifices of righteousness," is taken bodily into the text in its original form a little further on (Ps. iv. 6; cf. Deut. xxxiii. 19). The fact that the orphaned and oppressed are the special wards of Jehovah, the poet reëchoes also from the lawgiver's lips (Ps. x. 14, 18; cf. Deut. x. 18; xiv. 17 f. etc.).¹ The prohibition of the codes against usury and the taking of bribes he not only seconds but adds to its motives the higher inducement that only thus can one become a friend and guest of God (Ps. xv. 4, 5; cf. Ex. xxii. 24; xxiii. 8; Lev. xxv. 37; Deut. xxiii. 2 ff.).²

It was by the law ("the words of thy lips," Ps. xvii. 4) that the Psalmist professes to have been kept from the oppressor's paths. In that law there had been

¹ Psalm x. and xxxiii. are the only properly anonymous ones of the first book. The LXX. have joined the former to Psalm ix., and this is in harmony with the acrostic arrangement, the strophes of Psalm x. being needful to complete the alphabet. Hitzig, with Delitzsch and others, as we have already seen, regarded both psalms as Davidic.

² Psalm xv. is imputed to David and appears to have been composed during the rebellion of Absalom. Verse 1 seems to presuppose that Mount Zion was already honored with the presence of the Ark of the Covenant (2 Sam. vi. 17).

left, as it were, the Deity's footprints amongst the ways of men. In following them, the human step, too, might be unwavering (vs. 5). It had "judgments" as well as "statutes" (Ps. xviii. 23; cf. Deut. vi. 2; vii. 11; viii. 11). It was "Jehovah's law" (Ps. xix. 8; cf. 2 Kings xi. 12); no mere inward voice, but a summary of testimonies, precepts, commandments and ordinances, in the keeping of which there was great reward (vs. 8-11). When he says (Ps. xxvi. 6),¹ "I will wash my hands in innocence; And I will compass thine altar, O Jehovah," the Psalmist has undoubtedly in view the priestly calling of every Israelite and signalizes one of the commonest acts of such a calling (cf. Ex. xix. 6; xxx. 20). The custom of sometimes offering sacrifices in the midst of trumpet-peals has left its mark, as might have been expected, on one of David's sweetest songs (Ps. xxvii. 6; cf. Num. x. 10).² He recognizes it as a behest of God that he should seek his face (vs. 8) and "appear" before him (Ps. xlii. 3; cf. Ex. xxiii. 17, and the other codes).³ With a freewill offering he would come and with sacrifices (Ps. liv. 8; cf. Num. xv. 3),⁴ fulfilling from day to day his vows (Ps. lxi. 9).⁵ Nothing, indeed, could be more desirable, in his view, than the lot of such as were chosen of God to dwell in his house and to be filled with the blessings

¹ Psalm xxvi. like Psalm xv. is appropriate to the period of Absalom's rebellion and shows the same longing for the sanctuary. That the "house" spoken of might be a tent is clear from Gen. xxviii. 17; Ex. xxiii. 19; xxiv. 26.

² Psalm xxvii. is ascribed to David, and the "house of Jehovah" is still nothing more than a "tent" (vs. 4, 5).

³ Psalm xlii. is a "maskil" of the "sons of Korah." It is the first psalm of the second book. The Korahite family was one of the most distinguished of the Levitical families in the time of David (cf. 1 Chron. xii. 6). And there is no sufficient reason for putting this composition much after his day.

⁴ Psalm liv. is Davidic in style and teaching, and in its superscription is dated at the period of Saul's persecutions.

⁵ On Psalm lxi. Delitzsch remarks: "Wir bleiben bei dem stolz ignorirten 1^{te} *Dhāvidh* und haben dafür ein viel schlichteres Verständniss des Psalm zum Lohne."—*Com., in loc.* It seems to have been composed on the occasion of the flight before Absalom.

thereof (Ps. lxxv. 5).¹ "Let me," he exclaims, in strong hyperbole, "abide in thy tent ages. Let me hide under the cover of thy wings." As one of the elect community it is in closest harmony and sympathy with the Levitical Torah that he finds himself in the "courts of the Lord" (vs. 4). He, or another in the same spirit, says:—

"I will enter thy house with burnt-offerings,
I will pay to thee my vows;
Those which my lips have offered,
And my mouth hath spoken in my distress.
Burnt-offerings of fatlings I will bring thee,
With the incense of rams;
I will offer bullocks with goats" (lvi. 13 f.).

This Hebrew poet, now, or circle of poets, of the tenth or eleventh century B.C., surely betrays no ignorance of the Mosaic codes or the innermost core and essence of them. The impression they have left upon him, on the contrary, is fully as deep as the sentiment that Israel had a God, and standing as a people in the world. On the supposition that the Pentateuch was virtually complete and in its present form at that time, it would be unfair to expect, in a series of poems from David, or from contemporary pens, written in circumstances in which these must have been written, more numerous or more specific allusions to it than such as we have found.² In fact, this must be conceded by

¹ Psalm lxxv., although containing much the same matter and having, in general, the same style as Psalms viii., xix., xxix., and like them imputed to David in the superscription, Delitzsch thinks cannot be so early. He refers in disproof to the fact that "es scheint also Entlastung Israel's und überhaupt der Völker vom Drucke einer Weltmacht gemeint zu sein." Cf. vs. 2, 7, 8. That is not so certain, however. And were it true, it need not refer to the empires of Babylon or Persia.

² Let the references to the Pentateuch in the first thirty chapters of Ecclesiasticus or the first half of the Book of Wisdom be compared with those of the first half of the Psalter and the larger number will be found in the earlier, not the later, work, in the preëxilic, not the post-exilic, composition.

critics who, while insisting that the bulk of the Torah arose after the seventh century, and the Levitical code subsequent to the exile, equally insist that the bulk of the Psalter, including many of the psalms we have been considering, is also post-exilian. If the compositions we have passed in review do not reflect the Mosaic period and a Mosaic Pentateuch, much less do they reflect the rabid legalism of the exulants from Babylon. They do reflect a *Mosaic* Pentateuch. It is precisely that which they reflect. They do mark the earlier and not the later stages of acquaintance with it and ethical appropriation of it; the religion of Israel before it hardened into Judaism; the *religion* of Israel and not the refinements of the scribes. And we fail to see how our critics can hope for commensurate returns from their concerted and determined efforts to dislocate the so-called "Davidic psalms" from their traditional position in the Scriptures. Summoned to bear testimony to a post-exilian Torah, they refuse to give even so much as a sign of acquiescence. If allowed to speak at all,—and they must be allowed to speak,—they can only utter themselves in condemnation of such an hypothesis.

Nor are we yet done. There are several psalms, carrying upon them every mark of an origin in the royal period, of having been chanted, if any were, by David's and Solomon's Levitical choirs in the original temple at Jerusalem, that have also so clear a stamp of dependence on the Pentateuch and particularly on the priestly institutions of Leviticus as to deserve a special consideration.

Take, for example, Psalm xvi. It is confessed by Hitzig that it betrays nothing inconsistent with its

claim to Davidic authorship.¹ Its allusion to idolatry can be considered no anachronism at that time, as some maintain (cf. Judges xviii. 17 f.; 1 Sam. xix. 13-16). But if it be not deeply rooted in the Pentateuch, it would be a serious problem to tell whence its singular phraseology really comes.

Its author distinguishes between drink-offerings properly and improperly made (vs. 4). He knows that prohibition of the Book of the Covenant forbidding that the names of idols should be so much as mentioned by loyal Israelites (*ibid.*; cf. Ex. xxiii. 13). He knows the promise that was made to the tribe of Levi that Jehovah would be his portion (vs. 5; cf. Num. xviii. 20; Deut. x. 9; xviii. 1, 2), and how to associate with it that other precious memory that the chosen people were to be a peculiar people, a kingdom of priests (Ex. xix. 6). He says, in the same natural connection, giving a tropical force to the fact of the partition of the holy land among the tribes, that the "lines have fallen" to him amid pleasant surroundings and that a "goodly heritage" is his (*ibid.*; cf. Josh. xvii. 5; Judges xviii. 1). And he calls his heart his "glory," just as the patriarch Jacob had done in blessing his sons: a bit of philosophy and a mark of spiritual attainment withal that should not be overlooked (Gen. xlix. 6).

Now, if the Pentateuch existed at the time David wrote this psalm, so many direct allusions to it within the space of less than half a dozen verses, allusions to its three alleged leading portions, to its characteristic codes, in fact to every book of it, are easy enough to explain. If there were no Pentateuch, on the other

¹ He remarks, moreover: "Der Psalm, welchen gedrungene Kraft der Sprache, v. 4, sowie Frische und Anschaulichkeit des bildlichen Ausdrucks kennzeichnen, v. 4-6, 11, eignet unzweifelhaft dem höhern Alterthum." — *Com.* (Leipz. 1863), p. 79.

hand, no written law and no trustworthy history, we are simply mystified by our investigations, not at all enlightened and edified.

Psalm xviii. has been already three times cited in the present paper (vs. 3, 17, 23). Its genuineness is vindicated by the historical books, where it also appears in a somewhat altered form.¹ It contains, however, unless we are at fault, not less than six additional reminiscences of the Pentateuch within the space of thirteen stanzas. The natural phenomena accompanying the deliverance from Egypt and the giving of the Law furnish the groundwork of the thought in the seventh and following verses. The winged cherubim of the tabernacle also receive a passing notice (vs. 10). The words *hāzēl* and *ḥār* which it employs (vs. 31) are both antique and Mosaic (cf. Deut. xxxii. 4). The expression "high-places" (vs. 34) comes from the "Song of Moses" (Deut. xxxii. 13); and the bold announcement, "I will pursue mine enemies and overtake them, I will turn not back till they be consumed," from the song of the triumphing Israelites in view of Pharaoh's overthrow (Ex. xv. 9).

Psalm xxiv. also has been already briefly cited. In its opening lines (vs. 2), as in Psalm viii., the primitive record of creation, as far as it concerns the work of the second day, is adapted to poetic measure. The expression "fulness thereof" as related to the earth comes from the "Blessing of Moses" (Deut. xxxiii. 16). The third commandment reappears in the fourth verse. In the seventh and following verses the language pulsates vigorously with the thought that Jehovah's dwelling-place is with the historic ark, and that when it moves, he, the "King of glory," also moves, as the Book of

¹ "Die Davidische Authentie und so weit die Aussage der Ueberschrift in Zweifel zu ziehen, gebriecht es an jedem Grund." — Hitzig, *ibid.* p. 95.

Numbers had represented (ix. ; x. 35 ; cf. 2 Sam. vii. 6). The occasion celebrated seems to be the removal of the sanctuary from Kirjath-jearim to Mount Zion. For beauty of language and majesty of conception the following stanzas can scarcely be excelled (vs. 9, 10) :

“ Lift up, O gates, your heads!
Lift up yourselves, ye ancient doors,
That the King of Glory may come in!
Who, then, is the King of Glory?
Jehovah of Hosts;
He is the King of Glory.”

But far superior to any others in their bearing on the questions of Pentateuch criticism are the psalms numbered in our collection xl., l., and li. (in the Septuagint xli., li., lii.). The first and last are introduced as compositions of David, the third as that of Asaph, who, as is well known, is represented as a poet, musician, and prophet of David's time (1 Chron. xvi. 5 ; 2 Chron. xxix. 30 ; Neh. xii. 46).¹

The superscription to Psalm li. tells us that it was written by David after Nathan's rebuke concerning the matter of Bathsheba (2 Sam. xii. 1). Nothing could be more fitting to the circumstances. Already in previous utterances of his there has appeared evidence that all is not right with the singer (cf. Ps. vi., xxxviii.). Here the broken spirit casts off, as it were, its heavy load, and opens itself without reserve to the re-creating

¹ Ewald and Hitzig, to whom Delitzsch perhaps in this case may be joined, are inclined to date Psalm xl. at the time of Jeremiah, if not to make him its author. The figure of the pit, however (vs. 3), might quite as well have been taken from the experience of Joseph. And it has not a few peculiarities of David's style. But for our present purpose, the date as between B.C. 1000 and 600 can make but little difference.

Of Psalm l. Delitzsch says that it is “ ein asafische Originalpsalm ”; that is, it is not to be ascribed to some later member of the family, but to its head. The only objection of weight to considering the title of Psalm li. genuine is the allusion in verse 20 to building the walls of Jerusalem. But this is just what Solomon is said to have done (1 Kings iii. 1 ; ix. 15 ; cf. Josh. xix. 50 ; 2 Chron. viii. 2).

influence of the Holy Spirit. Better might the Christian heart deny itself the comfort of such a psalm as the twenty-third than part with this deep-toned *miserere* which appeals to a still more active consciousness and voices a sorer need.

Now, however, we are concerned with another aspect of it. It is with sin and moral uncleanness that the sacrificial Torah is supposed to have particularly to do. Does our psalm make any allusion to its rites? The writer says :—

“Purify me¹ with hyssop and I shall be clean,
Wash me and I shall be whiter than snow.”

In the first half of the verse there is undoubted reference to the priestly custom of sprinkling lepers, and others ceremonially unclean, with water by means of a branch of hyssop.² In the second half of the verse a no less characteristic regulation of the Levitical code is recalled and tacitly approved (Lev. vi. 27; xiii. 54; xvii. 16, and often).

David lays hold of the ancient law by its external features; but it is clearly the kernel of it that he seeks. “Be thou, O God!” he, in effect, says, “my priest without intermediary. Do thou for me, in reality, that which no son of Aaron can do except in form. Their poor ministry is for the flesh. With me it is the spirit that is sick, and faint, and corrupt.” David looked beyond the outward ceremony of purification, and his prophetic, though troubled, soul—made capable of the prophetic impulse, we might almost say, by the greatness of his trouble—in the symbol saw the thing symbolized. And it is from the same illuminated

¹ Literally, “Un-sin me.”

² The original word is found only in Ex. xii. 22; Lev. xiv. 4, 6, 49, 51, 52; Num. xix. 6, 18; 1 Kings v. 13.

plateau, where clearer vision and a deeper experience have come to him, that what is said a little later is uttered (vs. 16, 17):—

“ For thou delightest not in sacrifice,
Else would I give it;
In offerings made by fire thou hast no pleasure.
The sacrifices of God are a broken spirit;
A heart broken and contrite, O God! thou wilt not despise.”

Disparaging sacrifices! As a sufficient means of purification and pardon, as the final and only ground of hope—yes. How could he do otherwise? The man who knows what it is to be a sinner *against God* (vs. 6) does not need any Epistle to the Hebrews to inform him that his ultimate appeal must be to God. Disparaging sacrifices! As an eloquent tribute of deepest human feeling and longing, whether of penitence or of gratitude—no. It is clear from the context, as well as from the whole teaching of Israelitish history, that he does not and can not disapprove of them in themselves considered. His very allusion to them attests the commonness of their use. And there were circumstances, he immediately goes on to say, when God could “delight in sacrifices, in burnt-offerings and whole burnt-offerings” (vs. 20).¹ It was when his altars really smoked for him. It was when the offering really brought together the offerer and Him who was offered to; when it had ceased to be a barrier and had become a bond and channel of spiritual communion. The whole spirit of the Psalms shows that this is the deeper thought which underlies the figure and unites

¹ Even if the unlikely supposition were to be admitted that the last two verses of the psalm are a later addition, it would be a still more unlikely supposition that, at any period within which their origin would be allowable, they could have been added as a *correction* of King David's utterances. They must have been appended, if at all, to illustrate, and not to counterwork, his teaching as then understood.

in one the otherwise incoherent utterances of the contrite singer.

Let us turn now to the fortieth psalm. As we read, we can scarcely resist the feeling that it is a kind of response to the one we have just reviewed; the praise-note, as it were, which in nearly all of David's compositions follows words of confession and prayer. God had heard his cry for help. He had lifted him out of the "miry pit." He had put a "new song" in his mouth. He exclaims: —

"Oh, the blessedness of the man
Who maketh Jehovah his trust!"

And naturally, then (vs. 6), he recalls the wonders God had wrought for Israel; his "thoughts" for them, which were more than could be told. But it is the deeper thought, what is revealed to him as the underlying purpose of all Jehovah's dealings with his people, that he finally fixes upon.

"Sacrifice and oblation thou desirest not;
Ears hast thou hollowed out for me.
Burnt-offering and sin-offering are not what thou requirest.¹
Then I said: 'Lo! I come,
In the roll of the book it is written for me;
To do thy will, O my God, is my delight,
And thy law is written in my innermost heart.'"

¹ The pertinent remarks of Professor Green (*Moses and the Prophets*, p. 110 f.) may be here cited: "If Ezekiel is the inventor of sin-offerings [as Smend and our critics generally maintain], Psalm xl. 6 must have borrowed them from him or from the Levitical Law, which he pioneered. Such language, when found in Micah vi. 8, Jer. vii. 22, is interpreted [Prof. R. Smith, *Old Testament in the Jewish Church*, p. 288] as affirming that 'Jehovah has not enjoined sacrifice,' that he has, in fact, given no law upon the subject; the Levitical Law was consequently unknown. But if Psalm xl. 6 can speak thus after Ezekiel's Law, or the Levitical Law, had been announced, Micah and Jeremiah could do the same; and then, for all that appears, the Levitical Law may antedate their utterances. Or if Psalm xl. was prior to the time of Ezekiel, the sin-offering was not introduced by him; though not mentioned elsewhere, it was part of the preëxilic ritual and Moses may have ordained it after all."

It is precisely the spirit that ruled in the psalm of penitence just considered that rules in these utterances of victorious confidence and rejoicing. The writer recognizes that what God most wanted on the part of his people was open ears and an obedient will. The Law he had given them¹ would otherwise fail of its purpose. What mattered it, that it was written in a book, if the heart did not honor and delight in it? What mattered a ritual of sacrifice if there were not to be also a spirit of self-surrender, symbolized and set forth by the outward offerings. "Hence," says the Psalmist, "I come with the book written for me; but not with the book alone; I come with that which will please thee better: a heart to interpret the book and a will to keep it."

Does such language surprise us on David's lips? It ought not. It is true that we find the prophets of the sixth century looking forward to just such an inward reception of the Law and response to it as one of the blessings of the better days to come (Jer. xxxi. 32). But it had also been the demand of every great leader of Israel from Moses down (Deut. xxx. 6, 16; Prov. xxi. 3; Hos. vi. 6; Mic. vi. 6-8; Is. i. 11-15). It was simply putting in another form a sentiment that David might have heard many a time from the lips of his own revered teacher and friend; one, in fact, he could not well have failed to hear, since it was the reverse of that which had characterized the fatal policy of his predecessor, whose condemnation had been spoken in the never-to-be-forgotten words: "Behold, to obey is better than sacrifice, and to hearken than the fat of rams" (1 Sam.

¹ It was a law that, obviously, had to do with sacrifice and oblation, with burnt-offering and sin-offering; else why does he mention them at all in this connection?

² "Die Aussage Davids ist der Widerhall dieser Aussage Samuels mit welcher dem Königtum Sauls das Todesurtheil gesprochen und also dem künftigen Königtum Davids der Weg gottgefälligen Bestandes vorgezeichnet ward." — Delitzsch, *Com., in loco.*

xv. 22).² To deny, on the other hand, David's authorship of this psalm and to transfer it to the time of Jeremiah, or even later, does not help the matter for our critics. It is not *a voice* that witnesses to God's invariable attitude toward animal sacrifices. It is, as we have said, a chorus of voices whose sound cannot be escaped within the confines of Hebrew history.

Nowhere, however, is the sentiment that animal sacrifices were never intended to serve as a commutation for that which is due from man to God and to his fellow-man more earnestly set forth than in Psalm 1. The repudiation and rebuke here of a doctrine so gross borders even on contempt. And it is instructive to find that the man from whose mouth we hear such language, in this instance, is himself a Levite. As in the case of Jeremiah, whose priestly office did not prevent his putting obedience before outward rites (vii. 21 f.), so Asaph is enough of a Levite at heart to see what was the inner meaning of the code he served.

The psalm opens with a summons from God to "his people" to meet him in solemn conference. They are his "favored ones"; the same who had made¹ a covenant with him by sacrifice. Mark the significant words. They are in tender allusion and clearly, too, an approving one to what had occurred at Sinai when the law was given (Ex. xxiv. 5-8). Does he then forthwith proceed to disallow and denounce the offering of sacrifices? He denounces their counterfeit; the degeneracy and coarseness that can imagine him pleased with offerings that bear upward no incense of real devotion. This is the impeachment he brings:—

¹ The use of the participle indicates the continuance of the act of making a covenant. It had not been done once for all, but was an ever-present condition of the divine relationship to his people.

"Hear, O my people, and I will speak;
 O Israel, I will testify against thee—
 I, that am God, thine own God!
 Not for [the lack of] thy sacrifices do I reprove thee;
 For thy burnt-offerings are ever before me.
 I need not to take bullocks out of thy house,
 Nor he-goats out of thy folds;
 For mine is every beast of the forest,
 And the cattle upon a thousand hills.
 I know every bird of the mountains,
 And the abundance [brood] of the meadows is with me.
 Were I hungry, I would not tell thee,
 For mine is the world and its fulness.
 Do I eat the flesh of bullocks,
 Or do I drink the blood of goats?
 Rather sacrifice unto God thanksgiving,
 And pay thy vows unto the Most High.
 Then call on me in the day of trouble;
 I will deliver thee, as one honoring me.
 But to the wicked, God saith:
 What is it to thee, to speak of my statutes,
 And to take my covenant in thy mouth?"

Can there justly be any misunderstanding of these pathetic and earnest words? They are simply the interpretation and application from the Hebrew national and historical point of view of the sacrificial Torah. It had become to many a law of license and a cloak of wickedness. Evil men mouthed Jehovah's "statutes" and "covenant," but inwardly hated both and secretly cast his words behind their backs. It was in this way, at least, that the son of Sirach understood and interpreted the sentiments of our psalm. Writing in the midst of the ever-narrowing regulations of post-exilian Judaism, he was in no danger, surely, of depreciating unduly the outward rite. Paraphrasing at length the thoughts of our author, he does not hesitate to follow his copy in its warmest denunciations of hypocritical

ecclesiasticism.¹ Indeed, what more absurd hypothesis could well have been conceived than this, that among the Israelites all ordinary laws of growth were reversed and the ethical idea of sacrifices, *as a natural product*, preceded and ushered in the *custom of sacrificing*, that that was not first which was natural but that which was spiritual? This is what the advocates of a purely natural development in the institutions of Israel soberly ask us, in opposition to every known principle of development, to believe.

On the contrary, the poets and prophets of Israel have done just the work that was to have been expected of them. They have emphasized the symbolical significance of the Law over against its ceremonial features, and rather than the ceremonial. With them these legal regulations are less a matter of objective contemplation and study, and more a motive. They are impressed with the fact that the best Israelite, after all, is he who is one inwardly. And this is as consonant with the nature of the literature they represent as it is with the advanced stage they occupy in the development of revelation. Without introducing anything actually new, they mark a successful effort toward a better adjustment of the old. Forms of worship begin more and more, thanks largely to them, to pulsate with the spirit of worship. The general is more and more translated into the special and individual. "Bless ye the Lord, O house of Israel" comes to take on, even for the "house of Israel," the more significant and more Christian form: "Bless the Lord, O my soul"!

¹ "Sacrificing what is wrongfully gotten is an offering of mockery,
And the mockeries of transgressors are not accepted."

"He that washeth himself because of a dead body, if he touch it again,
What availeth his washing?" — Eccclus. xxxiv. 18, 25.

"He that requiteth a good turn offereth fine flour;
And he that giveth alms sacrificeth praise." — *Ibid.* xxxv. 1.

But it is time to direct attention, briefly, to another particular in which the earliest portions of the Psalter bear witness to the essential integrity of the Pentateuch in their day. We find them not only penetrated in general with the same ethical spirit; but they are *stamped with the most fundamental and characteristic principles of the Israelitish religion* as there formally set forth. Let us illustrate by some examples.

One of these principles, common as we have already elsewhere shown to every part of the legislation, is the demand for a single national sanctuary. To what extent it remained an ideal most imperfectly attained in the earlier Jewish history, our examination of the historical books has demonstrated. Still, an ideal it always was, earnestly striven for by such as were capable of being much moved by ideals. The triumph of the national spirit in David's time and the centralization of power in him gave an opportunity for a corresponding centralization in the national worship never before enjoyed. He makes no law on the subject, it is to be carefully noted. He acts, in every respect, as though it were a matter of course; that is, as though there had always been a Law and that, now, Providence had given a clear field for its execution. At the earliest opportunity he brings the Ark of the Covenant to Mount Zion. *Thither* the tribes were to go up (Ps. cxxii. 5):—

“The tribes of Jehovah—it was a precept in Israel—
To give thanks to the name of Jehovah.”

Such a tacit assumption on the king's part and the universal, unresisting assent of the tribes at the start are witnesses, that must not be overlooked, to what all

along had been the national goal. And the Psalms throughout reflect this spirit.

The abode of Jehovah is looked upon as the so-called "holy hill," that is, Zion (iii. 4). He had chosen it for a habitation and there he would dwell forever. The mountains of Bashan vainly sought to rival it in his esteem (lxviii. 15, 17). On Zion he was enthroned (ix. 12; lxv. 2). His dwelling-place, as of old, was the humble tabernacle which was there pitched (v. 5; x. 1, 4; xv. 1; xviii. 6; lxi. 5). From Zion went forth the salvation of Israel (xiv. 7): Zion, on the extreme north, a joy of the whole earth (xlviii. 3; l. 2). There praise waited for Jehovah and amid its stillness ascended the thankful song (lxv. 2).

These are simple illustrations of the many echoes in the oldest parts of the Psalter to this clear teaching of the Pentateuch. And the surprising thing about it is that the Psalms echo no other sentiment whatever. One may be safely challenged to discover a single exception to the rule. Not only surprising, but inexplicable, would be the circumstance, if the Hebrew religion were understood to be still in a chrysalis state, if this sentiment first took palpable shape and began really to be insisted on four centuries later, during the reforms of King Josiah.

Again, we discover just as little trace of uncertainty in our collection of early psalms, in their representations of God. It is certain that they never recognize more than one God, the Jehovah-Elohim of the Pentateuch and the prophets. Heathen deities are, indeed, alluded to; but so far from being put on a level with Jehovah, or regarded as, in any sense, his rivals, there is rather a refusal to acknowledge them as gods at all (xvi. 4; xcvi. 7). The bulk of the Psalter is taken up

with the direct worship of Jehovah, with grateful and tender words of adoration and praise exclusively for him.

If we were to trust the representations of our critics it was a very different state of things that actually existed for centuries after David lived. Until the prophets, one by one, and sporadically, began to introduce a more exclusive spirit, the religion of Israel, it is said, was practically syncretistic. Israel had, nominally, a national deity, as other nations about it, and his name was "Jehovah." But the practice of the notorious Jeroboam I. and the still more notorious Jeroboam II. best illustrates the actual faith of the people. Their worship was a compromise; their religion made up of a fusion of elements in which a great deal of pure heathenism was mingled with a modicum of what is now known as Judaism. And such a course, it is declared, was then, in that stage of development, inevitable and legitimate. The acknowledged best men of the times, iconoclasts like Elijah, took no exception to matters that, in a later day, were branded as idolatrous and criminal.

It has already been shown what violence is done by such a theory to the facts of Israelitish history as recorded by Israelitish historians and to the real consensus of prophetic opinion and teaching. It is even more at war with the Psalms. In what one of them is there to be detected so much at a glance of favor toward Moloch or Chemosh, Baal or Ashtoreth? Where is the scintilla of evidence to be found in any verse of these one hundred and fifty separate compositions, running through a period of at least six hundred years, that Jehovah was looked upon as merely the God of Israel? It is an alleged David, rather, who

speaks for all Hebrew singers when he says, in tender invocation to Jehovah (xvi. 2-4): "Thou art my Lord: I have no good beyond thee;" and adds: "Their griefs shall be multiplied who wed with other gods [? *exchange* God for an idol]:—

"I pour not out their drink-offerings of blood,
Nor take their names upon my lips."

It is the same representative David, we are informed, who elsewhere utters himself quite to the same intent:

"None is like thee among the gods, O Lord!
Neither are there any works to be compared with thine.
All the nations whom thou hast made,
Shall come, O Lord! and worship before thee,
And they shall give glory to thy name,
For thou art great and doest wonders;
Thou art God alone" (lxxxvi. 8-11).

The ideas concerning God and the epithets applied to him in the Psalms, so far from being Canaanitish or syncretistic, are, in fact, more nearly Christian in their depth and definiteness of conception. Without fear of vagueness we still accept them as expressing our own supposed more philosophic notions. Is it, for example, his relations to the material universe that we would characterize as being above it and the author of it? How compactly and how eloquently it is set forth in the couplet (xxxiii. 9):—

"For he spoke and it was done;
He commanded and it stood fast!"

Is it his own self-existence and eternity? In one of the oldest compositions of the collection, one, indeed, ascribed to the lawgiver of the wilderness himself,¹ we

¹ Psalm xc. 2. "Es giebt kaum ein Schriftdenkmal des Altertums, welches das Ueberlieferungszeugniss seiner Alstammung so glänzend rechtfertigt, wie dieser Psalm." — Delitzsch, *Com.*, *in loco*.

find this most impressive reflection of the mystery: "Before the mountains were brought forth or ever thou didst give birth to the earth and the world, From æon to æon thou art God." They recognize and characterize, as do no other compositions of antiquity outside the Scriptures, the divine omniscience and omnipresence (*ibid.* cxxxix.), and, above all, the divine holiness that can suffer nothing unclean, insincere, or inwardly untrue in its sight (xxii. 4; xxiv. 3 f.; lxxi. 22). They find in God that which it has always been so hard for the natural man to think of as possible attributes of the same great being: an harmonious blending of matchless power with a mercy and condescension equally matchless:—

"One thing has God spoken; these two have I heard:
That power belongeth unto God;
And that to thee, O Lord, belongeth loving-kindness" (lxii. 12).

So, too, in the form of the worship paid to Jehovah we discover that the Israelitish psalmody is entirely consistent with the presuppositions of Israelitish history. It is never presented to us as a worship at second-hand, but direct and personal. It is never set forth as a worship through symbols and outward representations of the Deity, but a worship of One who is supposed to know every secret of the heart (1 Sam. xvi. 7; Ps. vii. 10, etc.). There is, in short, just as little a breach of the second commandment observable in the form and spirit of the Psalms as of the first commandment.

What has been already said of Zion as the recognized seat of the Jehovah cultus cannot be harmonized with the hypothesis of a *recognized* adoration of images there or elsewhere. We hear of the "holy hill," the "taber-

nacle," the "sanctuary," the "throne of Jehovah"; but we hear of no orderly worship save of him who dwelt between the cherubim, nothing whatever in approval of the bamoth and their ceremonies; nothing in honor of the star-images of Amos's memories (v. 26), or of the molten calf of Hosea's denunciations (viii. 5); or the "asherahs" of Deuteronomy. It is noted and enjoined that men appear before Jehovah in "holy attire" (xxix. 21); but that any admiration is expended on the probably quite as sumptuous pagan rites we have no hint. Now the psalmists cannot have been ignorant of that which, if the records are true, the ordinary Israelite knew so much. They cannot have approved of that concerning which they are so significantly, and as we believe purposely, silent. We fail to see good reason why other places and forms of worship than those of Zion find no reflection in the Hebrew Psalter, if they were ever, as is alleged, as legitimate and fully sanctioned as those of Zion within the periods covered by our psalms. Here, too, there is an *argumentum e silentio* worthy of the consideration of our critics who build so massively upon it elsewhere.

Not only is there no outspoken approval, nor even so much as a hint of acquiescence, there are positive utterances of disapproval of any such efforts at a dualistic service (xxx. 7; xlv. 21 f.). There is an all-pervading spirit that speaks louder than words, an attitude toward Jehovah and his service that precludes the opposite, points to a contrast in fact as well as in act. It is the taunt of the other sort of people, for example, the men who walk by sight, that seems to reach us in the heartless interrogatory (xlii. 4, 11): "Where is thy God?" It is the men who bow at other and prohibited altars

who shoot out the lip and wag the head, saying in mien as well as in words (Ps. xxii. 8, 9) :—

“He trusted in Jehovah, let him release him;
Let him rescue him, for he delighteth in him.”

It could not have been they who made a fetish of the sun or the moon, who were wont to utter themselves so humbly and yet so profoundly in the language of their inspired singer :—

“When I see thy heavens,
The work of thy fingers;
The moon and the stars,
Which thou didst create;
What is a mortal man
That thou bearest him in mind?”

It could not have been the loyal Israelites, of whom David says (Ps. xvi. 3) that they are the “noble of the earth,” in whom is all his delight, who bowed down to images of stupid oxen, trying to persuade themselves that somehow Jehovah dwelt in them and would manifest himself through them. It was the loyal Israel rather, those who were in sympathy with David and joined David in those words, scarce comprehensible indeed, but elevating and sweet, and a sure antidote one might think against the seductions whether of the Egyptian apis or the gilded calf of Samaria (Ps. viii. 6 f.) :—

“Thou hast made him little less than God,
And with glory and honor thou hast crowned him!
Thou gavest him rule over the works of thy hands;
Thou hast placed them all under his feet.
Sheep and oxen, under him are they all;
And alike, the beasts of the field,
The birds of the air and the fish of the sea.”

And there is another hypothesis of our critics in which, whatever may be their conclusions from the other Scriptures, they cannot have fully reckoned with the Psalms. It is that the prophets of the royal and subsequent periods were far from being in harmony with one another or with the people to whom they brought their messages ; that, above all, the prophet was at war with the priest, jealous of his influence and contesting step by step his innovations and growing usurpations. Of all this, there is not one trace in the psalms of David and his successors. Not one inharmonious note do we here discover, not one element of discord. The singer "Asaph" was known not only as Levite, but also as prophet. The sons of Korah, recognized as Levites of the Levites, are recognized in their productions as first of all Israelites. Their songs are strikingly national in tone. They honor the sanctuary but in no spirit of ecclesiasticism. Both, like Ethan, are significantly introduced as David's singers. They sing in his measures. They reflect his spirit. They teach his doctrine. To find any marked cleavage-lines dividing these compositions such as is supposed to exist in the law ; to find opposing tendencies and dissentient opinions on such matters as the cultus, the history, the moral and political outlook, the dangers, the goal of Israel, we will venture to say is impossible. Priestly, kingly, and prophetic elements are found mingling in every part and blending without disharmony. It is "Asaph," perhaps, who makes most of God as Judge. It is the "sons of Korah" who chiefly exalt him as King. It is David who strikes every cord in the gamut and in an ethical and doctrinal, as well as an historical, sense is, above all others, the "sweet psalmist of Israel."

It might be said now that, as in the case of the

historical books, so here in the Psalms, we are to consider that we have a carefully edited edition of these works which needs as careful a sifting of original from secondary and foreign material. But the project of an expurgated edition of the Psalter, we venture to say, might as well be given up, if it be entertained on the principles we have been considering. To expurgate the Psalter of all testimony hostile to the Wellhausen theory of Israelitish history, or out of harmony with it, would be to *expunge* the Psalter, at least its acknowledged earlier portions. It would be, by some means, to rid ourselves altogether of a psalmist David, to level Zion, and silence the witnesses to a pure worship of Jehovah in this period of the united kingdom. That, indeed, is what is aimed at, virtually if not directly, in the efforts now making to move the collection from its historic base and set it bodily down in the morass of the exile.

Or it might be said that we have not in our present Psalter the actual songs of the people, but only of those who frequented the sanctuary at Jerusalem; and that this collection does not fairly represent the habitual practices and spiritual attainments of even that part of Israel whose centre of worship was Solomon's temple. Very true; it is freely admitted that it is quite unlikely that it does fairly represent them, generally, in these respects. When did a hymnbook ever represent the habitual practices, or even the spiritual attainments, of any people? The hymnbook of the Lutheran Church of Germany is far enough from representing German Lutheranism as it appears in the daily lives, or even in the current beliefs, of many of its members. The spirit of Wesley's hymns, in all charity we may say it, was never the spirit to which Wesley's followers would lay

claim as having either fully or widely attained it. The hymnbook records the aspirations, the hopes, the supplications, the confessions, the longings, the victories of the church in its best state. It is always something to be accounted for, however. It is itself an effect and not simply a cause. Of what was the Israelitish hymnbook an effect? Something went before Luther's hymns that made them possible. What went before David's? It makes no difference whether the compositions we have been considering were in the mouths of few or many; whether they were sung in Samaria or only in Jerusalem; in the homes of the people or only at the temple. They presuppose something of which they are the outgrowth.

If the Pentateuch previously existed in essentially its present form; if its laws were to a considerable extent known to the people and had been somewhat, though to a much less extent, observed by them; if Israelitish history had actually taken the course that is recorded in the historical books, we have a sufficient historical and ethical basis for the Psalter. We know whence these poems derive their present form and peculiar methods of expression; we know from what grand and all-sufficient source under God they receive their inspiration and motive power. We can see how well adapted they were to worshipers of those times, how they stimulated the conscience, inspired the zeal, and melted the heart, just as our best hymns do ours. But without the Pentateuch and the illumined history, a Saul before David, and a full-sized Moses before the noble Samuel, we have a stream without a fountain, we have some of the ripest fruits of biblical training without the trace of anything that could properly be called a Bible.

Finally, I would direct attention to what might be

called the personal element in the Psalms: in other words, *to what the psalmists themselves were*, as indicated and illustrated in what they said. We have been considering these compositions as products of cultivation, the result of long-continued processes. Their authors, in a still more marked and indisputable sense, are products of a continuous training and development. May we not, possibly, find them, *in themselves*, quite as valuable witnesses to the pre-Davidic history of Israel as recorded in the Scriptures as we have found their works? We will examine one or two characteristic traits of these men, which, because they are characteristic and uniform, may be fairly attributed to one man, whom we will name the Psalmist, be he David, or some other, who took on the sentiments and wrote in the spirit of the master. This Hebrew poet, to appearance, was quite unconscious of being, to such an extent as it has proved, a singer for others than himself. He was first of all and essentially an independent singer. It was his own longings, hopes, confessions, supplications, hosannas, that he gave utterance to. And his melodies are no less his that they served to voice so well the higher aspirations of multitudes of his countrymen and voice still our own.

He had, for example, *a personal consciousness that he was a sinner and a longing to be free from sin*. More than once is the peculiar exclamation, so emphatic in its form in the original, "O the blessedness!" made the vehicle of his surcharged feeling and desire in this respect (Ps. i. 1, 2; xxxii. 1, 2): —

"O the blessedness of the man,
Who walketh not in the counsels of the wicked,
Nor in the way of sinners standeth,
Nor in the seat of scoffers sitteth!

But his delight is in the law of Jehovah.
O the blessedness of him,
Whose transgression is taken away,
Whose sin is covered !
O the blessedness of the man,
To whom Jehovah no guilt imputeth
And in whose spirit there is no guile !”

Four of the so-called penitential psalms (vi., xxxii., xxxviii., li.) are inscribed in our collection to the pen of David. Since the time of Origen the Christian church has found no means more fit, on certain occasions, to express her own grave sense of ill-desert. In one, the true doctrine of sin is set forth in terms so discriminating and exact that we search in vain elsewhere in the Scriptures for a parallel. It is held to be more than a sum of sinful acts : it is a nature that is perverse ; something more than drops of blood on the driven snow : the whole snow is crimson. Whatever the wrong done to the neighbor, it is first and chiefly a wrong against God, who sees the heart and judges the secret motive. It is an offence that has struck so deep that in some phases of it, as he elsewhere confesses (xix. 13), it has gone beyond the ken of the sinner himself, so that he must cry out : “ Who can understand his errors ? From hidden faults do thou declare me free.”

Confessions so profound and supplications so intense as we find here recorded, where the Psalmist pleads, as for his life, to be washed thoroughly from his iniquity and to be cleansed from his sin, declares that he knows his transgressions and that his sin is ever before him, that he cannot be content until God has created within him a clean heart and renewed a right spirit within him, are not to be passed lightly over even by those

who are seeking only for criteria of periods and of growths in these ancient documents; are not to be hastily passed over, especially by such. They are a product of Hebrew life and experience. They are not ethnic, not even Shemitic, in the general sense. I have before me an Accadian penitential psalm, one of the best specimens that I have been able to find in ancient profane literature.¹ It is about as long as the fifty-first psalm. It confesses sin and deprecates wrath. There, however, the comparison ends. Its confession is only of a sin of ignorance. Its prayer is directed to a pantheon and not to God. It expects to be heard, apparently, for its much speaking.² It dares to charge the superior powers again and again with injustice in language like this:—

“ How long, O my god, who knewest (though)
I knew not, shall (thy) strength (oppress me)? ”³

What made the difference, now, between the Accadian psalm and that of David? As a certain writer has expressed it with reference to another of the compositions of the Psalter: There is “underlying this poem, from the first line to the last, the substance of philosophic thought, apart from which, expressed or understood, poetry is frivolous, and not in harmony with the

¹ *Records of the Past* (vol vii. 151 f.). Cf. what Isaac Taylor says of another psalm containing some of the characteristic elements of the fifty-first: “Thus stripped of his modern self, let him read the sixty-fifth psalm, and let him open his heart, and mind, too, to admit the largeness of its intention, the width of its lookout upon the world, the justness of its theism, — if indeed a Creator is acknowledged, and if the Creator be good also, — the warmth of its piety, and the gladness of its temper, and the landscape freshness of its images; and withal the preparation which is made in its exordium for the outpourings of a grateful piety, by the open confession of sin and the deep consciousness of it as the reason of the divine displeasure. This ode supposes — it *connotes* — an instituted congregational worship, a temple, a liturgy, and a teaching!” — Isaac Taylor, *Spirit of Hebrew Poetry*, p. 206 f.

² “For the tearful supplication of my heart sixty-five times let the name be invoked of my god.” See line 30.

³ See line 13 *et passim*.

seriousness of human life : this psalm is of a sort which Plato would have written, or Sophocles — if only the one or the other of these minds had possessed a heaven-descended theology.”¹

Notice, moreover, some of the reasons which seem to prompt the Psalmist in his desire to be rid of sin. A principal one is that sin is offensive to God and will meet with certain retribution at his hands. There is no subject more often on his lips. The man who ascends the hill of the Lord to stand in his presence must have clean hands and a pure heart ; be one who has not lifted up his soul to evil nor sworn in deceit (Ps. xxiv. 3 f.). Jehovah’s eyes behold, his eyelids try “the children of men” (xi. 4). He is not only a righteous God himself, but he proves the depths of every heart (vii. 10). Beginning, in fact, with the first psalm, and going straight through the second till we come to the end of the collection, there is nowhere any lack of evidence that in the Psalmist’s mind there is nothing that God loathes like sin, and that to be a friend of God and enjoy his favor he, too, must loathe it and put it away.

Nor is there any difficulty in comprehending what the Psalmist brands as morally offensive and sinful. There is no vacillation or hesitation discoverable in his delineations. He defines the character he condemns by special terms, which, however much they may be confounded in our translations, have apparently always their fixed valuation and meaning with him. He describes it, again and again, in all the detail of its hatefulness and deformity. He uses the appropriate device of poetic parallelism to set it forth as the total opposite of that toward which he struggles and is

¹ Isaac Taylor, *ibid.* p. 208.

approved of God. He prays and seemingly as one fully conscious of what his words mean—in language which we with all our precision of philosophic statement may still adopt (xxvi. 9; xxviii. 3):—

“Gather not my soul with sinners,
Nor with blood-stained men my life.
Draw me not away with the wicked,
Nor with the workers of iniquity;
Who speak kindly with their neighbors,
While evil is in their hearts.”

He may not, it is true, be always free from doubts concerning the retributive justice of his God, especially when he beholds the prosperity of the wicked, that they have not the trouble of other mortals. Sometimes, indeed, it almost seems to him that he has cleansed his heart in vain and washed his hands in innocence. But to give utterance to such a thought would be, he says, to be faithless to the generation of God's children. It would be, above all, to fail to understand the lesson of God's sanctuary (Ps. lxxiii. *passim*). The generation of God's people! The sanctuary! What was the secret, then, which they carried and which was also the secret of Providence and of Israelitish character?

It may be said, now, that all this does not prove beyond dispute that the Psalmist had the ceremonial law before him or that it antedated his time. Very true. It is not simply after ceremonial holiness that he is striving. It is not ceremonial impurity which he mostly characterizes as sin. On the other hand, it must be remembered that it is not ceremonial holiness which is the sole requirement of the Pentateuch or of the Levitical institutions. It is not even their principal requirement, but the loyalty and love of a

consecrated heart (Lev. xix. 18; Deut. vi. 5). And might it not be expected that a poet, if anybody, would look and reach toward the ideal? that, especially, an inspired poet would take in that of which rites and ceremonies were only the symbol and preparation?

The "mystery of the blood" he may not have fathomed. What Old Testament writer has clearly done so, if we except Isaiah (liii.)? But could he have reached a higher level of revelation or of experience than he has done in the petition (Ps. li. 9): "Un-sin (thou) me with hyssop and I shall be clean: Wash (thou) me and I shall be whiter than snow." He sees in the rite only a symbol, it is true, and not a type. But the rite he does not fail to see, or the essential thing about it, whether as symbol or type, that it is to the priest-king, Jehovah, to whom he must look for pardon and that to him he will not look in vain. In this circumstance, after all, we find the culmination of biblical teaching, both of the old covenant and the new. And that we find it here in the Psalms, even in their earliest portions, is something to be accounted for by those who believe in the natural evolution of the Israelitish, as of every other religion.¹

Another specially noticeable trait of our Psalmist, as

¹ Cf. Delitzsch, *Com. ueber die Psalmen* (1873) p. 53 f. Perowne has some pertinent remarks concerning the psalmists' attitude toward sacrifices (*The Psalms*, Andover, 1882, vol. i. p. 47): "He evidently did not regard those sacrifices, as so many Christian writers have regarded them, as having in the case of those who offered them in penitence and faith a spiritual efficacy. Their only efficacy to him was the efficacy which the law itself assigned to them; they were the instruments of restoring him, when he had transgressed, to his place as a member of the theocracy, a citizen of the visible kingdom of God. But they did not confer or convey *the remission of sins*. They were external, and their efficacy was external. . . . How far the Jewish believer saw into the typical meaning of his sacrifices is a question which cannot now be answered. . . . But the typical meaning and the real efficacy are two very different things. In truth, as has been truly argued (McDonnell's *Donnellan Lectures*. Appendix to the First Sermon), if we assign to the type the virtue of the antitype, if we make the remission of sins procured by the one coëxtensive with the remission of sins procured by the other, we destroy the type altogether. The sacrifice had no moral value. Hence the Psalmist says, *not sacrifice, but a broken heart*."

displayed in many different compositions, is the *evident closeness of his personal relationship to God*. When every allowance has been made for poetic license and oriental glow, there is a most remarkable residuum left needing to be accounted for. It is not so strange that we hear the apostle John saying, "Behold what manner of love the Father hath bestowed upon us that we should be called the children of God" (1 John iii. 1); or the apostle Paul declaring, "For me to live is Christ" (Phil. i. 21)! They stand in the noontide blaze of revelation. But we have in this collection of old Israelitish songs, and on its opening pages, some of them, at least, dating from the foundations of the first temple, expressions of trust and confidence in God, of a tender, absorbing communion with him, that yield to nothing which the New Testament can offer. We are embarrassed, in fact, at the very outset by the universality and excess of this element in the Psalter. It will be no easy task by mere examples to give an adequate idea of either its richness or its importance in our ethical and, in so far here, our critical valuation of the Psalms.

There is, for instance, the bold contrast which the Psalmist sees between himself and those who are "without God" and seek their highest good in his gifts and not in him (iv. *passim*):—

"Jehovah keepeth apart his beloved for himself:
 When I call him, Jehovah heareth me.
 There are many who say,
 'Who will show us what is good?'
 Lift upon us, O Jehovah,
 The light of thy presence!
 Thou hast put gladness in my heart,
 More than in the time their corn and new wine increased.

In peace I will lay me down,
And at once will sleep,
For thou, O Jehovah, when I am alone,
Makest me dwell securely."

In another place he hesitates not to pour out his complaints to his heavenly Friend (vi.), detailing them one by one, just as a child might do in its mother's ear, and as he goes on it is pleasant to see how his heart is lightened and his voice takes on the ring of gladness and deliverance. He never forgets, however, what sort of a being Jehovah is, so as to presume upon his condescension. He knows that he is righteous and that only "the righteous shall have vision of his face" (xi. 7). But confidence and love are to him no presumption. "My shield," he says, "is upon Jehovah" (vii. 11). He cannot keep within his own bosom the exuberance of his joy. If his case be exceptional, he certainly sees no reason why it should not be the rule. Out of an evident experience he exclaims (xxxiv. 9): —

"O taste and see that Jehovah is good,
How blest the man who taketh refuge in him"! —
"Cast thy burden on Jehovah,
And he will sustain thee" (lv. 22).
"Though one fall, it shall not be at full length,
For Jehovah supporteth him with his hand" (xxxvii. 24).

Note the significant, endearing other titles which he applies to him whose final title is Jehovah. He is a "rock," a "shield," a "fortress," a "deliverer," the soft "brooding of wings," a "refuge," a "cleft rock." In fact, the sentiment now so current in Christian circles in the sweet lines,

"Rock of ages, cleft for me,
Let me hide myself in thee,"

is a sentiment that was almost as current in David's time. And at once what a longing and what a satisfaction is voiced in utterances like these (xlii. 1; xxviii. 4):—

“ One thing have I asked of Jehovah,
That will I seek after:
That I may dwell in the house of Jehovah,
All the days of my life.”
“ As the hart panteth after the waterbrooks
So panteth my soul after thee, O God.”

How could we spare from our Bibles, even with the gracious assurances of the Master concerning the Father's love and care for us, such an abandonment of trust in the divine Providence as is expressed in the twenty-third psalm, beginning and carrying through to the end the thought, —

“ The Lord is my Shepherd,
I shall not want ”? ¹

Or what would it cost us to give up one such psalm as the sixty-third, where as on the chiming silver bells changes are rung on the opening sentiment,—

“ O God! thou art my God; earnestly I seek thee ”?

But in nothing perhaps is the Psalmist's intimacy of union and communion with God more clearly demon-

¹ “ This is an ode which for beauty of sentiment is not to be matched in the circuit of all literature. In its way down through three thousand years or more, this psalm has penetrated to the depths of millions of hearts; it has gladdened homes of destitution and discomfort; it has whispered hope and joy amid tears to the utterly solitary and forsaken, whose only refuge was in Heaven. Beyond all range of probable calculation have these dozen lines imparted a power of endurance under suffering, and strength in feebleness, and have kept alive the flickering flame of religious feeling in hearts that were nigh to despair. The divine element herein embodied has given proof, millions of times repeated, of its reality and of its efficacy, as a *formula* of tranquil trust in God, and of a grateful sense of his *goodness*, which all who do trust in Him may use for themselves, and use it until it has become assimilated to their own habitual fulness.” — Isaac Taylor, *ibid.* p. 77 f.

strated than in the strength of confidence and the boldness of courage it gives him respecting death and the future beyond it. It begins already in the sixteenth psalm (vs. 8-11), where, having said that he sets Jehovah before him always, he adds :—

“ So my heart is glad, my spirit exulteth ;
My flesh, too, abideth securely.
For thou wilt not abandon my soul to Sheol,
Nor let thy beloved waste away in the grave.
Thou wilt make known to me the path of life :
In thy presence is fulness of joy ;
At thy right hand are pleasures forevermore.”

In like manner in the seventeenth (vs. 14, 15), where, in contrast with the men of the world whose portion is in the present life, he exclaims :—

“ As for me, in righteousness
Shall I have vision of thy face ;
I shall be satisfied, when I awake with thy likeness.”

Again in the twenty-third (vs. 4), which seems to cover in its brief compass the whole area of possible human experiences :—

“ Yea, when I walk through the valley of death's shadow,
I will fear no evil ; for thou art with me.”

And in a connection so common in the other examples, in the forty-ninth :—

“ But God will redeem my soul from the dominion of Sheol,
For he will receive me.”

And, finally, in Psalm lxxiii. (23-26), in a beauty and tenderness of expression that cannot fail to move the stoutest sceptic even :—

“ But as for me, I am ever with thee ;
 Thou holdest with thy hand my right hand.
 With thy counsel thou wilt guide me,
 And afterward receive me to glory.
 Whom have I in heaven but thee?
 And with thee, I delight not in the earth.
 My flesh and my heart fail,
 But God is the strength of my heart,
 And my portion forever.”

Union with the Lord—what else is the ground of hope for immortality and eternal life under the new economy? “Because I live,” said the Master, “ye shall live also” (John xiv. 9).¹ Union with the Lord himself, that is also the final ground of hope for life and happiness beyond the grave under the old economy. I am well aware of the objection that will be made to such a use of these psalms. It will be said that they are of exceptional import, that they represent individual, sporadic attainment only and by no means that of the masses of Israel.

Let it be admitted that this is true. It should by all means be admitted as probably true. Still the question remains. How came it about that *individuals*, that anybody, reached a pitch of development so amazing in times so early and, as is alleged, so crude and immature? No hypothesis of a later religious “coloring” given to documents ancient in themselves, such as is made to account for many supposed anomalies in the historical books, will here avail. Nay, the very abundance of

¹ Rowland Hill, it is said, was accustomed for many years before his death to repeat over to himself often this simple stanza:—

“ And when I ’m to die,
 Receive me, I ’ll cry;
 For Jesus has loved me, I cannot tell why;
 But this I can find:
 We two are so joined,
 That he ’ll not be in glory and leave me behind.”

religious teaching here is one of the strongest proofs that that of the historical books is not coloring at all, but only the natural texture of the fabric. Here, at least, web and woof are of one pattern and one stuff. It is not peculiar expressions that attract our attention : it is compositions that are peculiar throughout ; it is psalms and the men who wrote them. How is it possible that we have works of this nature and men of this stature? A Pentateuch largely from the pen of Moses and his contemporaries will not be so difficult a problem when this problem is settled.

We can comprehend how such an Israelitish singer as we have been listening to, in some important respects so far beyond Moses and his work, supposing that the Pentateuch was his work, was the crown of a certain development, but as its virtual beginning he seems to us an impossible character. We can see, for example, how it would be possible for a David to grow into this intimacy with Jehovah and this voluminous expression of such intimacy, when we think of Abraham, who was called the "friend of God"; of Moses, who spoke with him face to face; of Samuel, who from childhood on responded to the divine call with a "speak Lord, for thy servant heareth"! But, if you reverse the pyramid, putting the apex where the base should be, the Psalmist somehow in the place of the Patriarch, and admit no regulative norm of holy living and aspiration such as the so-called Mosaic institutions offer, the matter becomes simply inexplicable to us.

I read in one of the daily journals the following sentiment, quoted from a sermon on last Lord's day : "The very first chapters of Genesis teach us that man's surroundings deteriorate in obedience to a

deterioration in man himself. The inward Eden is related to the outward Eden as cause and effect. Tenement-house reform, for example, taken as the handmaid of other movements deserves great praise, but taken alone is of little value. No fact is more evident than that certain stages of civilization require certain corresponding surroundings. Place a family in a house that is above it, and the family will either emigrate or degrade the house to its own level. Any attempt to elevate degraded man by simply changing his surroundings is like attempting to elevate the unhatched chicken into a robin by tinting the shell, or to precipitate spring by shoveling off and melting the snow upon your sidewalk."

One chief trouble with our critics has been that they have not carried their induction from facts, their study of symptoms, far enough. They have marked almost exclusively, and dwelt upon, the outward evidences of deterioration in Israel. They have largely failed to mark it as deterioration. They have seemed to forget that on the hypothesis of a degenerate and fallen race, the outward paradise to be regained might be expected to follow, and sometimes follow very gradually, the inward paradise which is its ground. They have been all too ready to draw immediate conclusions from evil surroundings, and too slow to note the signs of high ethical and spiritual attainment in spite of evil surroundings. Without achieving a really complete survey of all the circumstances, they have adopted as a leading principle of their reasoning the shallow maxim that "circumstances make the man." While if there be one lesson more than another that the history of human progress and enlightenment teaches, it is that, under an all-controlling Providence, the man, if he be

a man, makes the circumstances. "For every house is built by some one [even the house of Hebrew history and worship]; but he that built all things is God" (Heb. iii. 4).

XI.

LITERATURE OF THE PENTATEUCH AND THE RELATED CRITICISM OF THE OLD TESTAMENT.¹

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¹ There has been no effort to make this list exhaustive. A large number of titles, in fact, were omitted at the last moment for want of space. It will be found, however, to include the more important books and articles, old and new, relating to the Pentateuch and the criticism of the Old Testament as especially bearing on the Pentateuch. Rev. Ernest C. Richardson, Librarian of the Hartford Theological Seminary, has rendered valuable assistance in its collection and verification.

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THE APOCRYPHA OF THE OLD TESTAMENT WITH
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AND NOTES CRITICAL AND EXPLANATORY.

By Prof. EDWIN C. BISSELL, D.D.

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